Vol. LIV No. 7.

BENGAL LEGISLATIVE ASSEMBLY
Accn No. 1144
6 [illegible] 1939
LIBRARY

Assembly Proceedings

Official Report

Bengal Legislative Assembly

Fifth Session, 1939

1st, 2nd, 4th, 5th, 8th, 9th, 10th & 11th May, 1939

Superintendent, Government Printing
Bengal Government Press, Alipore, Bengal
1939

Published by the Superintendent, Government Printing
Bengal Government Press, Alipore, Bengal

Agents in India:

Messrs. S. K. Lahiri & Co., Ltd., Printers and Booksellers, College Street, Calcutta.

Messrs. Thacker, Spink & Co., Calcutta.

Customers in the United Kingdom and the Continent of Europe may obtain publications either direct from the High Commissioner's office or through any bookseller.

GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

His Excellency Sir ROBERT NEIL REID, K.C.S.I., K.C.I.E., I.C.S.

MEMBERS OF THE COUNCIL OF MINISTERS.

(*1*) The Hon'ble Mr. ABUL KASEM FAZLUL HUQ, in charge of the Education Department.

(*2*) The Hon'ble Mr. NALINI RANJAN SARKER, in charge of the Finance Department.

(*3*) The Hon'ble Khwaja Sir NAZIMUDDIN, K.C.I.E., in charge of the Home Department.

(*4*) The Hon'ble Sir BIJOY PRASAD SINGH ROY, in charge of the Revenue Department.

(*5*) The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca, in charge of the Departments of Local Self-Government and Industries.

(*6*) The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar, in charge of the Department of Communications and Works.

(*7*) The Hon'ble Mr. HUSEYAN SHAHEED SUHRAWARDY, in charge of Commerce and Labour and Rural Reconstruction Departments.

(*8*) The Hon'ble Nawab MUSHARRUF HOSSAIN, Khan Bahadur, in charge of the Judicial and Legislative Departments.

(*9*) The Hon'ble Mr. PRASANNA DEB RAIKUT, in charge of the Forests and Excise Departments.

(*10*) The Hon'ble Mr. MUKUNDA BEHARY MULLICK, in charge of the Co-operative Credit and Rural Indebtedness Departments.

(*11*) The Hon'ble Mr. TAMIZUDDIN KHAN, in charge of Public Health, Medical, Agriculture and Veterinary.

GOVERNMENT OF BENGAL

PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE ASSEMBLY

SPEAKER.

The Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.

DEPUTY SPEAKER.

M. ASHRAFALI, Esq., Barrister-at-Law.

SECRETARY.

K. ALI AFZAL, Esq., Barrister-at-Law.

FIRST ASSISTANT SECRETARY.

Rai N. N. SEN GUPTA Bahadur.

SECOND ASSISTANT SECRETARY.

Khan Sahib QUAZI MUHAMMAD SADRUL OLA.

REGISTRAR.

K. C. GHOSH, Esq.

BENGAL LEGISLATIVE ASSEMBLY

ALPHABETICAL LIST OF MEMBERS.

A

Abdul Aziz, Maulana Md. [Narayanganj East (Muhammadan).]

Abdul Bari, Maulvi. [Berhampore (Muhammadan).]

Abdul Hafiz, Mr. Mirza. [Tangail West (Muhammadan).]

Abdul Hafiz Mia, Mr. [Kurigram South (Muhammadan).]

Abdul Hakeem, Mr. [Khulna (Muhammadan).]

Abdul Hakim, Maulvi. [Mymensingh West (Muhammadan).]

Abdul Hakim Vikrampuri, Maulvi Md. [Munshiganj (Muhammadan).]

Abdul Hamid, Mr. A. M. [Pabna West (Muhammadan).]

Abdul Hamid Shah, Maulvi. [Kishoreganj North (Muhammadan).]

Abdul Jabbar, Maulvi. [Dinajpur Central East (Muhammadan).]

Abdul Jabbar Palwan, Mr. Md. [Jamalpur North (Muhammadan).]

Abdul Kader, Mr. [Patuakhali South (Muhammadan).]

Abdul Karim, Mr. [Jamalpur *cum* Muktagacha (Muhammadan).]

Abdul Latif Biswas, Maulvi. [Manikganj West (Muhammadan).]

Abdul Majid, Maulvi. [Mymensingh North (Muhammadan).]

Abdul Majid, Mr. Syed. [Noakhali South (Muhammadan).]

Abdul Wahab Khan, Mr. [Bakarganj West (Muhammadan).]

Abdul Wahed, Maulvi. [Mymensingh East (Muhammadan).]

Abdulla-Al Mahmood, Mr. [Serajganj North (Muhammadan).]

Abdur Rahman, Khan Bahadur, Mr. A. F. M. [24-Parganas North-East (Muhammadan).]

Abdur Rahman Siddiqi, Mr. (Muslim Chamber of Commerce.)

Abdur Rasheed, Maulvi Md. [Birbhum (Muhammadan).]

Abdur Raschid Mahmood, Mr. [Serajganj North (Muhammadan).]

Abdur Rauf, Khan Sahib Maulvi S. [Howrah (Muhammadan).]

Abdur Rauf, Mr. Shah. [Rangpur South (Muhammadan).]

Abdur Razzak, Maulvi. [Feni (Muhammadan).]

Abdus Shaheed, Maulvi Md. [Dacca North Central (Muhammadan).]
Abidur Reza Chowdhury, Khan Bahadur Maulvi. [Chandpur West (Muhammadan).]
Abu Hossain Sarkar, Maulvi. [Gaibandha North (Muhammadan).]
Abul Fazl, Mr. Muhammad. [Madaripur West (Muhammadan).]
Abul Hashim, Maulvi. [Burdwan (Muhammadan).]
Abul Hosain Ahmed, Mr. [Netrokona North (Muhammadan).]
Abul Quasem, Maulvi. [Hooghly (Muhammadan).]
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh. (Dacca Landholders.)
Aftab Ali, Mr. (Water Transport Trade Union.)
Aftab Hossain Joardar, Maulvi. [Nadia East (Muhammadan).]
Ahmed Ali Enayetpuri, Khan Bahadur Maulana. [Jhenidah (Muhammadan).]
Ahmed Ali Mridha, Maulvi. [Goalundo (Muhammadan).]
Ahmed Hosain, Mr. [Gaibandha South (Muhammadan).]
Ahmed Khan, Mr. Syed. [Noakhali South (Muhammadan).]
Alfazuddin Ahmed, Khan Bahadur Maulvi. [Midnapore (Muhammadan).]
Aminullah, Khan Sahib Maulvi. [Noakhali Central (Muhammadan).]
Amir Ali, Md., Mia. [Rajshahi South (Muhammadan).]
Anderson, Mr. J. P. [Calcutta and Suburbs (European).]
Anwarul Azim, Khan Bahadur, Md. [Chittagong South (Muhammadan).]
Ashraf Ali, Mr. M. [Nator (Muhammadan).]
Asimuddin Ahmed, Mr. [Tippera Central (Muhammadan).]
Aulad Hossain Khan, Maulvi. [Manikganj East (Muhammadan).]
Azahar Ali, Maulvi. [Pabna East (Muhammadan).]
Azizul Haque, the Hon'ble Khan Bahadur M., C.I.E. [Nadia West (Muhammadan).]

B

Banerjee, Dr. Suresh Chandra. [Calcutta and Suburbs (Registered Factories).]
Banerji, Mr. P. [24-Parganas North-West (General).]
Banerjee, Mr. Pramatha Nath. [Burdwan North-West (General).]
Banerjee, Mr. Sibnath. [Howrah Registered Factories).]

Banerji, Mr. Satya Priya. [Rajshahi (General).]
Barat Ali, Mr. Mohammad. [Serajganj Central (Muhammadan).]
Barma, Babu Premhari. [Dinajpur (General).]
Barma, Mr. Puspajit. [Rangpur (General).]
Barman, Babu Shyama Prosad. [Dinajpur (General).]
Barman, Babu Upendra Nath. [Jalpaiguri *cum* Siliguri (General).]
Basu, Mr. Jatindra Nath. [Calcutta North (General).]
Basu, Mr. Santosh Kumar. [Calcutta East (General).]
Bell-Hart, Miss P. B. (Anglo-Indian Constituency.)
Bhowmik, Dr. Gobinda Chandra. [Midnapore East (General).]
Birkmyre, Sir Henry, Birt. [Hooghly *cum* Howrah (European).]
Biswas, Babu Lakshmi Narayan. [Nadia (General).]
Biswas, Mr. Rasik Lal. [Jessore (General).]
Biswas, Mr. Surendra Nath. [Faridpur (General).]
Blomenstock, Mr. L. M. (Bengal Chamber of Commerce.)
Bose, Mr. Sarat Chandra. [Calcutta South (General).]
Brasher, Mr. F. C. [Calcutta and Suburbs (European).]
Brown, Mr. A. O. [Calcutta and Suburbs (European).]

C

Chakrabarty, Mr. Jatindra Nath. [Rangpur (General).]
Chakrabarty, Babu Narendra Narayan. [Bogra *cum* Pabna (General).]
Chattopadhyay, Mr. Haripada. [Nadia (General).]
Chippendale, Mr. J. W. (Anglo-Indian.)
Chaudhuri, Rai Harendra Nath. [24-Parganas Municipal (General).]
Clark, Mr. L. A. [Burdwan Division (European).]

D

Das, Mr. Mahim Chandra. [Chittagong (General).]
Das, Babu Radha Nath. [Hooghly North-East (General).]
Das, Mr. Anukul Chandra. [24-Parganas North-West (General).]
Das, Rai Sahib Kirit Bhusan. [Murshidabad (General).]
Das, Mr. Monomohan. [Mymensingh East (General).]
Dass, Babu Debendra Nath. [Birbhum (General).]

Das Gupta, Mr. Khagendra Nath. [Jalpaiguri *cum* Siliguri (General).]

Das Gupta, Dr. J. M. [Calcutta Central (General).]

Das Gupta, Srijut Narendra Nath. [Bakarganj South-West (General).]

Datta, Mr. Dhirendra Nath. [Tippera (General).]

Dolui, Mr. Harendra Nath. [Jhargram *cum* Ghatal (General).]

Dutt, Mr. Sukumar. [Hooghly South-West (General).]

Dutta Gupta, Miss Mira. [Calcutta General (Women).]

Dutta Mazumdar, Mr. Niharendu. (Barrackpore Registered Factories.)

E

Edbar, Mr. Upendranath. [Bakarganj South-West (General).]

Emdadul Haque, Kazi. [Kurigram North (Muhammadan).]

F

Farhad Raza Chowdhury, Mr. M. [Jangipur (Muhammadan).]

Farhat Bano Khanam, Begum. [Dacca (Muhammadan) Women.]

Fazlul Huq, the Hon'ble Mr. A. K. [Patuakhali North (Muhammadan).]

Fazlul Qadir, Khan Bahadur Maulvi. [Chittagong North-West (Muhammadan).]

Fazlur Rahman, Mr. [Jamalpur East (Muhammadan).]

Fazlur Rahman, Mr. (Dacca University.)

French, Mr. F. H. (Bengal Chamber of Commerce.)

G

Ghose, Mr. Atul Krishna. [Jessore (General).]

Giasuddin Ahmed, Mr. [Jamalpur West (Muhammadan).]

Golam Sarwar Hosaini, Mr. Shah Syed. [Ramganj *cum* Raipur (Muhammadan).]

Gomes, Mr. S. A. [Dacca Division (Indian Christian).]

Goswami, Mr. Tulsi Chandra. [Burdwan Division North Municipal (General).]

Griffiths, Mr. C. (Anglo-Indian.)

Gupta, Mr. Jogesh Chandra [Calcutta South Central (General).]

Gupta, Mr. J. N. [Railway Trade Union (Labour).]

Gurung, Mr. Damber Singh. [Darjeeling (General).]

Giyasuddin Ahmed Choudhury, Al-Hadj. [Madaripur East (Muhammadan).]

H

Habibullah, the Hon'ble Nawab Bahadur K., of Dacca. [Dacca Municipal (Muhammadan).]

Hafizuddin Chowdhury, Maulvi. [Thakurgaon (Muhammadan).]

Hamiduddin Ahmad, Khan Sahib. [Kishoreganj East (Muhammadan).]

Hamilton, Mr. K. A. (Calcutta Trades Association.)

Hasan Ali Chowdhury, Mr. Syed. [Tangail North (Muhammadan).]

Hasanuzzaman, Maulvi Md. [Tippera South (Muhammadan).]

Hashem Ali Khan, Khan Bahadur Maulvi. [Bakarganj North (Muhammadan).]

Hasina Murshed, M.B.E., Mrs. [Calcutta (Muhammadan) Women.]

Hatemally Jamadar, Khan Sahib Maulvi. [Pirojpur South (Muhammadan).]

Hawkings, Mr. R. J. [European (Calcutta & Suburbs).]

Hendry, Mr. David. (Bengal Chamber of Commerce.)

Hirtzel, Mr. M. A. F. (Bengal Chamber of Commerce.)

I

Irdis Ahmed Mia, Mr. [Malda South (Muhammadan).]

Ispahani, Mr. M. A. H. [Calcutta South (Muhammadan).]

J

Jalaluddin Ahmad, Khan Bahadur Maulvi. [Cox's Bazar (Muhammadan).]

Jalaluddin Hashmey, Mr. Syed. [Satkhira (Muhammadan).]

Jalan, Mr. I. D. [General Constituency (Calcutta West).]

Jasimuddin Ahmed, Mr. [24-Parganas South (Muhammadan).]

Jonab Ali Majumdar, Maulvi. [Chandpur East (Muhammadan).]

K

Kabiruddin Khan, Khan Bahadur Maulvi. [Netrokona South (Muhammadan).]

Kazem Ali Mirza, Sahibzada Kawan Jah Syed. [Murshidabad South-West (Muhammadan).]

Kennedy, Mr. I. G. (Indian Jute Mills Association).

Khaitan, Mr. Debi Prosad. (Indian Chamber of Commerce.)

Khan, Mr. Debendra Lall. [Midnapore Central (General).]

Kumar, Mr. Atul Chandra. [Malda (General).]

Kundu, Mr. Nishitha Nath. [Dinajpur (General).]

M

MacGregor, Mr. G. G. [Indian Tea Association.]

Mafizuddin Ahmed, Dr. [Bogra North (Muhammadan).]

Mafizuddin Ahmed, Maulvi. [Tippera North (Muhammadan).]

Mafizuddin Choudhury, Maulvi. [Balurghat (Muhammadan).]

Maguire, Mr. L. T. (Anglo-Indian.)

Mahatab, Maharajkumar Uday Chand. [Burdwan Central (General).]

Mahtabuddin Ahmed, Khan Bahadur Maulvi. [Dinajpur Central West (Muhammadan).]

Maiti, Mr. Nikunja Behari. [Midnapore South-East (General).]

Maitra, Mr. Surendra Mohan. [North Bengal Municipal (General).]

Maji, Mr. Adwaita Kumar. [Burdwan Central (General).]

Majumdar, Mrs. Hemaprova. [Dacca (General) Women.]

Mal, Mr. Iswar Chandra. [Midnapore South-West (General).]

Mandal, Mr. Amrita Lal. [Mymensingh West (General).]

Mandal, Mr. Banku Behari. [Burdwan North-West (General).]

Mandal, Mr. Birat Chandra. [Faridpur (General).]

Mandal, Mr. Jagat Chandra. [Tippera (General).]

Mandal, Mr. Jogendra Nath. [Bakarganj North-East (General).]

Mandal, Mr. Krishna Prasad. [Midnapore Central (General).]

Maniruddin Akhand, Maulvi. [Rajshahi North (Muhammadan).]

Maniruzzaman Islamabadi, Maulana Md. [Chittagong South Central (Muhammadan).]

Maqbul Hosain, Mr. [Tippera North-East (Muhammadan).]

Marindin, Mr. F. J. [Chittagong Division (European).]

Masud Ali Khan Panni, Maulvi. [Tangail South (Muhammadan).]

Miles, Mr. C. W. (Indian Tea Association.)

Miller, Mr. C. [Calcutta and Suburbs (European).]

Mohammed Ali, Khan Bahadur. [Bogra West (Muhammadan).]

Mohsin Ali, Mr. Md. [Meherpur (Muhammadan).]

Mookerjee, Dr. Syamaprasad. (Calcutta University.)

Morgan, Mr. G., C.I.E. [Presidency Division (European).]

Moslem Ali Mollah, Maulvi. [Rajshahi Central (Muhammadan).]

Mozammel Huq, Maulvi Md. [Bhola North (Muhammadan).]

Muhammad Afzal, Khan Sahib Maulvi Syed. [Pirojpur North (Muhammadan).]

Muhammad Ibrahim, Maulvi. [Noakhali North (Muhammadan).]

Muhammad Ishaque, Maulvi. [Bogra South (Muhammadan).]

Muhammad Israil, Maulvi. [Kishoreganj South (Muhammadan).]

Muhammad Siddique, Khan Bahadur Dr. Syed. [Bankura (Muhammadan).]

Muhammad Solaiman, Khan Sahib Maulvi. [Barrackpore Municipal (Muhammadan).]

Mukerji, Mr. Dhirendra Narayan. (Hooghly North-East.)

Mukherjee, Mr. B. [Colliery (Coal Mines) (Labour).]

Mukherji, Dr. H. C. [Calcutta *cum* Presidency Division (Indian Christian).]

Mukherji, Dr. Sharat Chandra. [Birbhum (General).]

Mullick, the Hon'ble Mr. Mukunda Behari. [Khulna (General).]

Mullick, Mr. Pulin Behary. [Howrah (General).]

Mullick, Srijut Ashutosh. [Bankura West (General).]

Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur. [Jalpaiguri *cum* Darjeeling (Muhammadan).]

Mustagawsal Haque, Mr. Syed. [Bagerhat (Muhammadan).]

Mustafa Ali Dewan, Maulvi. [Brahmanbaria North (Muhammadan).]

N

Nandy, the Hon'ble Maharaja Sris Chandra, of Cossimbazar. (Presidency Landholders.)

Nasarullah, Nawabzada K. [Brahmanbaria South (Muhammadan).]

Nasker, Mr. Hem Chandra. [24-Parganas South-East (General).]

Nausher Ali, Mr. Syed. [Jessore Sadar (Muhammadan).]

Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E. [Calcutta North (Muhammadan).]

Nooruddin, Mr. K. [Hooghly *cum* Howrah Municipal (Muhammadan).]

Norton, Mr. H. R. [Calcutta Trades Association.]

P

Pain, Mr. Barada Prosanna. [Hooghly *cum* Howrah Municipal (General).]

Patton, Mr. W. C. [Darjeeling (European).]

Paul, Sir Hari Sankar. (Bengal National Chamber of Commerce.)

Pramanik, Mr. Tarinicharan. [Malda (General).]

R

Rahman, Khan Bahadur A. M. L. [Rajshahi Central (Muhammadan).]

Raikut, the Hon'ble Mr. Prasanna Deb. [Jalpaiguri *cum* Siliguri (General).]

Rajibuddin Tarafdar, Maulvi. [Bogra East (Muhammadan).]

Ramizuddin Ahmed, Mr. [Tippera West (Muhammadan).]

Ray Choudhury, Mr. Birendra Kishore. [Mymensingh East (General).]

Razaur Rahman Khan, Mr. [Dacca South Central (Muhammadan).]

Roy, Mr. Patiram. [Khulna (General).]

Roy, the Hon'ble Sir Bijoy Prasad Singh. (Burdwan Landholders.)

Roy, Kumar Shib Shekhareswar. (Rajshahi Landholders.)

Roy, Mr. Charu Chandra. [Mymensingh West (General).]

Roy, Mr. Dhananjoy. [Dacca East (General).]

Roy, Mr. Kamalkrishna. [Bankura East (General).]

Roy, Mr. Kiran Sankar. [Dacca West (General).]

Roy, Mr. Kishori Pati. [Jhargram *cum* Ghatal (General).]

Roy, Rai Bahadur Kshirod Chandra. (Chittagong Landholders.)

Roy, Mr. Manmatha Nath. [Howrah (General).]

Ross, Mr. J. B. (Indian Mining Association.)

S

Sadaruddin Ahmed, Mr. [Bakarganj South (Muhammadan).]

Safiruddin Ahmed, Haji. [Rangpur North (Muhammadan).]

Salim, Mr. S. A. [Narayanganj North (Muhammadan).]

Sanaullah, Dr. [Chittagong North-East (Muhammadan).]

Sanyal, Dr. Nalinaksha. [Presidency Division Municipal (General).]

Sanyal, Mr. Sasanka Sekhar. [Murshidabad (General).]

Sarker, Babu Madhusudan. [Bogra *cum* Pabna (General).]

Sarker, the Hon'ble Mr. Nalini Ranjan. (Bengal National Chamber of Commerce.)

Sassoon, Mr. R. M. (Bengal Chamber of Commerce.)

Sen, Babu Nagendra Nath. [Khulna (General).]

Sen, Rai Bahadur Jogesh Chandra. [24-Parganas South-East (General).]

Serajul Islam, Mr. [Bongaon (Muhammadan).]

Shahabuddin, Mr. Khwaja, C.B.E. [Narayanganj South (Muhammadan).]

Shahedali, Mr. [Matlabbazar (Muhammadan).]

Shamsuddin Ahmed, Mr. [Kusthia (Muhammadan).]

Shamsuddin Ahmed Khandkar, Mr. [Gopalganj (Muhammadan).]

Shamsul Huda, Maulana. [Mymensingh South (Muhammadan).]

Singha, Babu Kshetra Nath. [Rangpur (General).]

Sinha, Srijut Manindra Bhusan. [Bankura West (General).]

Sirdar, Babu Litta Munda. [Bengal Dooars (Western) Tea Garden Labour.]

Smith, Mr. H. Brabant. [Rajshahi Division (European).]

Steven, Mr. J. W. R. [Dacca (European).]

Suhrawardy, the Hon'ble Mr. H. S. [24-Parganas Municipal (Muhammadan).]

Sur, Mr. Harendra Kumar. [Noakhali (General).]

T

Tamizuddin Khan, the Hon'ble Mr. [Faridpur West (Muhammadan).]

Tapuriah, Rai Bahadur Moongtu Lall. (Marwari Association.)

Thakur, Mr. Promatha Ranjan. [Faridpur (General).]

Tofel Ahmed Choudhury, Maulvi Haji. [Bhola South (Muhammadan).]

W

Waliur Rahman, Maulvi. [Jessore East (Muhammadan).]
Walker, Mr. W. A. M. (Indian Jute Mills Association.)
Warren, Mr. P. F. S. (Bengal Chamber of Commerce.)
Wordsworth, Mr. W. C. (Bengal Chamber of Commerce.)

Y

Yusuf Ali Choudhury, Mr. [Faridpur East (Muhammadan).]
Yusuf Mirza. [24-Parganas Central (Muhammadan).]

Z

Zahur Ahmed Choudhury, Maulvi. [Malda North (Muhammadan).
Zaman, Mr. A. M. A. [Hooghly *cum* Serampore (Registered Factories Labour.]

THE BENGAL LEGISLATIVE ASSEMBLY PROCEEDINGS

(Official Report of the Fifth Session.)

(Official LIV—No. 7.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 1st May, 1939, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 11 Hon'ble Ministers and 215 members.

Oath.

The member named below made the oath or affirmation of his allegiance to the Crown:—

Mr. J. B. Ross.

STARRED QUESTIONS

(to which oral answers were given)

Recruitment in services from backward Hindu castes.

*379. **Mr. HARENDRA KUMAR SUR:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that amongst the Hindu community there are many backward castes which have not been included in Scheduled Castes?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state separately the names of such castes with their numbers?

(c) Are the Government considering the desirability of making special provision for the members of these castes in the matter of recruitment in services?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (a) Yes.

(b) A statement is laid on the table.

(c) The whole matter of communal recruitment is under examination, together with the question whether any provision can continue to be made for backward communities as distinct from Scheduled Castes.

Statement referred to in the reply to clause (b) of starred question No. 379.

Name of caste.	Population.
Kalwar	13,383
Kapali	163,680
Khandait	35,080
Kichak	2
Nagar	16,151
Naiya	3
Nath	384,634
Pundari	31,255
Raju	56,778
Shagirdpesha	333
Sukli	3,860
Koiri	16,021
Kulu	Not available.

Mr. MONMOHAN DAS: Will the Hon'ble Minister be pleased to state if the Sutradhar community is included in the list of Scheduled Castes?

The Hon'ble Khwaja Sir NAZIMUDDIN: I shall refer the honourable member to the list of Scheduled Castes.

Preservation of water-hyacinth.

*380. **Kazi EMDADUL HAQUE:** (*a*) Has the attention of the Hon'ble Minister in charge of the Agriculture and Veterinary Department been drawn to the fact that water-hyacinth is used in the manufacture of paper?

(*b*) If the answer to (*a*) is in the affirmative, are the Government considering the desirability of preserving the water-hyacinth?

MINISTER in charge of the AGRICULTURE and VETERINARY DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) I believe that it is possible to use water-hyacinth for making paper but this has not yet been done on a commercial scale.

(*b*) In view of the problematic value of water-hyacinth for paper-making and the very serious damage which it causes to agriculture throughout the province, I see no reason to consider the question of preserving it.

Observance of "Water-Hyacinth Day".

*381. **Kazi EMDADUL HAQUE:** Will the Hon'ble Minister in charge of the Agriculture and Veterinary Department be pleased to state what steps do the Government propose to take—

(*a*) for the observance of the "Water-Hyacinth Day"; and

(*b*) for encouraging the village people to carry on the campaign in this behalf?

The Hon'ble Mr. TAMIZUDDIN KHAN: (*a*) The attention of the member is drawn to the Press-note on the subject issued on the 12th February, 1939, a copy of which is placed on the Library table. Propaganda for the organisation is being carried on in right earnest. Posters and pamphlets have already been issued and are under circulation. The co-operation of the Press both in Calcutta as well as in the *mufassal* has been asked for. The District Officers have been asked to organise the Week in collaboration with local non-official public bodies. A conference of all members of both Houses of the Legislature and Chairmen and Vice-Chairmen of District Boards was held on the 2nd

April, 1939, at which the Hon'ble Chief Minister and I appealed for co-operation in the organisation of the Week. Appeals to the public by the Hon'ble Chief Minister and by myself are being promulgated. I have also broadcast a short appeal. Myself and my hon'ble colleagues contemplate touring the districts during the Week with a view to guiding and supervising the work personally as far as possible. In order to enable Government employees and students to participate in the work, certain days in the Week have been declared as public holidays in different districts.

(*b*) I have practically answered this question above. I have also provided for an adequate amount for *jalpan* for the workers in *Bil* areas and also for grant of rewards and certificates to those who will do good work in connection with the Week.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government gave any direction for the collection of water-hyacinth in an area where there was none in order to enable the Hon'ble Minister who visited the area to have the privilege of publicity for removing such water-hyacinth as was done by the Hon'ble Minister in charge of Communications at Baruipara in the district of Murshidabad?

The Hon'ble Mr. TAMIZUDDIN KHAN: I do not know, Sir, but generally the answer is in the negative.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister aware that 18 cartloads of water-hyacinth were taken from a distance of 12 miles in order to enable the Hon'ble Minister to get at the water-hyacinth brought for this purpose?

The Hon'ble Mr. TAMIZUDDIN KHAN: The answer is in the negative.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that in order to enable photographs for the publicity of the Water-Hyacinth Week to be properly taken some missionary girls were taken on promise of some *jalpan* to a place about 2 miles from the town of Berhampore, but as the photographer could not arrive in time, they had to go with the Hon'ble Minister for a second time?

The Hon'ble Mr. TAMIZUDDIN KHAN: I am not aware of that.

Report of Mr. Stuart, I.C.S. (Special Officer), on grievances of khas mahal areas.

*382. **Babu KHAGENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether Mr. Stuart, I.C.S., appointed as a Special Officer to investigate into the grievances of the *khas mahal* areas of Jalpaiguri, Noakhali and other districts, submitted his report to the Board of Revenue at the end of June, 1938?

(*b*) If so, has the report reached the Government?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to lay on the table a copy of the said report?

(*d*) Are the Government considering the desirability of taking immediate action on the recommendations contained in the report?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) Yes.

(*b*) It is now under examination by the Board of Revenue, Bengal, but Government have been supplied with printed copies.

(*c*) A copy is laid on the Library table.

(*d*) The Board has been asked to expedite submission of the report with its recommendations thereon. Necessary action on the report will be taken as soon as it is received from the Board.

Mr. SPEAKER: Is it a printed report?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir.

Mr. SPEAKER: In view of that fact, I think it should be circulated to the honourable members?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Most certainly.

Enhanced rent in Jalamutha and Majnamutha estates of Midnapore.

*383. **Mr. ISWAR CHANDRA MAL:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*i*) the total amount of increase of the rental of the Jalamutha and Majnamutha estates in the district of Midnapore which resulted from the settlement operations of 1903-1911;

(*ii*) whether it is a fact that this increase in rent was effected on an understanding that an amount of money would be annually allotted for works of improvement and maintenance of drainage and embankment;

(*iii*) whether it is a fact that the enhancement proposals were accepted by the Board of Revenue as being dependent upon the maintenance of the embankments, and of the smaller village embankments, called *grambheries* in the Board's letter No. 4694A., dated the 29th November, 1907; and

(*iv*) the amount of expenditure that the Contai *khas mahal* in the district of Midnapore incurred, year by year, on the maintenance and improvement of smaller channels and village embankments called *grambheries* from 1911-12 to 1937-38?

(*b*) Will the Hon'ble Minister be pleased to lay on the table a copy of the letter, Land Revenue No. 8684, Calcutta, the 2nd September, 1914, from the Secretary to the Government of Bengal, to the Secretary to the Board of Revenue, Bengal?

(*c*) Will the Hon'ble Minister be pleased to state whether there has been any understanding before the last enhancement proposal was recommended in 1933-36?

(*d*) Will the Hon'ble Minister be pleased to state—

(*i*) the amount of enhancement that has resulted from the last settlement operation;

(*ii*) the enhancement per rupee of the rent; and

(*iii*) the percentage of the enhancement to the total demand?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) Jalamutha Rs. 37,499 and Majnamutha Rs. 46,314.

(*ii*) and (*iii*) Yes.

(*iv*) A statement is laid on the table.

(*b*) A copy of the letter is laid on the table.

(*c*) No.

(*d*) (*i*) Nil.

(*ii*) and (*iii*) Do not arise.

Statement referred to in the reply to clause (a) (iv) of starred question No. 383 showing the expenditure incurred in the Contai Khas Mahals under head "Agricultural Improvement" from the years 1911-12 to 1937-38.

	Rs.	a.	p.
1911-12	Not available.		
1912-13	17,121	5	7
1913-14	22,688	14	4
1914-15	41,634	11	2
1915-16	14,993	0	1
1916-17	7,602	5	7
1917-18	18,564	14	9
1918-19	23,144	9	11
1919-20	19,426	5	5
1920-21	20,549	8	5
1921-22	22,447	10	4
1922-23	20,320	12	10
1923-24	9,874	3	8
1924-25	17,594	3	2
1925-26	24,009	0	0
1926-27	41,826	0	0
1927-28	35,176	15	11
1928-29	24,799	8	2
1929-30	24,766	3	11
1930-31	16,938	9	9
1931-32	14,599	8	9
1932-33	14,999	15	9
1933-34	14,999	15	9
1934-35	11,136	13	9
1935-36	23,999	15	8
1936-37	13,116	15	3
1937-38	8,999	6	0
Total ..	5,25,331	10	1

Statement referred to in the reply to clause (b) of starred question No. 383.

REVENUE DEPARTMENT.

Land Revenue No. 8684.

Calcutta, the 2nd September, 1914.

From—The Hon'ble Mr. J. H. Kerr, C.I.E., I.C.S., Secretary to the Government of Bengal,

To—The Secretary to the Board of Revenue, Bengal.

I am directed to forward, for the information of the Board, a copy of the final report on the recent survey and settlement operations in the Government and temporarily-settled estates in the district of Midnapore, and to communicate the following observations and orders of Government.

2. In paragraphs 15 and 16 of the report the important questions of drainage and irrigation are discussed, and with regard to the former, the Settlement Officer emphasises the necessity of a comprehensive scheme which should be preceded by a level survey. In this connection I am to invite the attention of the Board to the fact that the enhancement of rents which has resulted from the recent operations was recommended by the local officers on the distinct understanding that the protective embankments and drainage channels of the *khas mahals* would be maintained in efficient repair, and the matter therefore requires very careful consideration.

3. Under the orders contained in Government letter No. 86, dated the 20th April, 1882, the charge of *grambheries* and drainage channels in the Jalamutha and Majnamutha estates was entrusted to the Public Works Department. Mr. Taylor in paragraph 41 of his rate report for pargana Doro Dubnan suggested that the Khas Mahal Department should again take charge of these works. In paragraph 74, he gave a list of the *khals* in Doro which required clearing, and in the following rate reports the unsatisfactory condition of certain *khals*, *grambheries* and embankents was brought to notice and suggestions were made for their improvement:—

(1) Paragraphs 7 and 9 of the rate report of estate Bahirimutha Daklimmal Jalpai.

(2) Paragraphs 5 (1) and (2) of rate report of Paharpur Jalpai.

(3) Paragraph 8 of rate report of Mahal Mukandupur.

(4) Paragraph 11 of rate report of embankment estate.

(5) Paragraph 53 of rate report of Muthurakhali Khas Jungle estate.

In paragraph 7 of his letter No. 1027, dated the 20th March, 1909, submitting to the Board the rate reports of various parganas in the Majnamutha and Jalamutha estates, the Director of Land Records stated that approximately a sum of Rs. 24,000 would be required for the annual maintenance of embankments and drainage channels in those estates that are not in charge of the Public Works Department. He added that the Collector was drawing up a detailed scheme for the improvement and maintenance of existing embankments and channels, and that he supported the enhancement proposals on the understanding that the sum found by the Collector to be necessary for works of improvement would be provided by Government year by year without fail.

4. Under present arrangements, the *grambheries* and drainage channels of the Jalamutha and Majnamutha estates are divided into two classes:—(1) larger works, mostly drainage channels benefiting several villages, and (2) smaller works which can be provided for without exact estimates or measurements by grants to villages. The former are in charge of the Public Works Department, and the latter are looked after by the Khas Mahal Establishment. At present Rs. 21,000 is provided in the Public Works Department budget for the maintenance of the larger protective works, and Rs. 20,550 is allotted annually from the Khas Mahal Improvement Fund for the smaller channels and embankments. Large works, such as those connected with the drainage of the Argwal circuit, are also undertaken by the Public Works Department from time to time. Government, as at present advised, consider that this arrangement should continue, but it is very desirable that the Public Works and Khas Mahal Departments should co-operate and work on the same lines in this matter. Special enquiries are being made by the officers of the Public Works Department as to the remedial measures necessary in consequence of the floods which occurred in the Contai subdivision last year, and I am to request that the Board will now examine the whole position in consultation with the Public Works Department, and will, in particular, satisfy itself that the measures recommended by the Settlement Officer in connection with his enhancement proposals are being adequately carried out.

5. Paragraphs 17 to 19 and 279 of the report deal with the *bundhs*, on which irrigation in the upland parganas of Balarampur, Kalyanpur, Nayabasan and Jhargram mainly depends. The suggestions made for the improvement and maintenance of these *bundhs* should be considered, and suitable action taken in regard to them. Periodical inspection, as suggested by the Settlement Officer, seems necessary, in the case of those *bundhs*, for the upkeep of which the proprietors are responsible.

6. The Settlement Officer in paragraphs 124-27 of his report lays considerable stress on the dearth of grazing-grounds and the necessity

of improving the cattle in the estates. The general question of the provision of grazing-grounds in Government estates has been referred to the Board separately. It would appear that in the greater part of Majnamutha and Jalamutha, the lands available for grazing are already insufficient. Steps should be taken to prevent further encroachments, and to reserve for grazing purposes any suitable land which may revert to the control of the Khas Mahal authorities. In the other estates where waste land is still available, definite arrangements should be made to reserve specific areas for grazing purposes.

7. The final report as well as the rate reports contain many proposals for the general improvement of the estates, such as the establishment of a model market at Tengra Hat (paragraph 22), the improvement of *khas* tanks (paragraph 128), the redistribution of *tahsil* circles (paragraph 275), and various other matters. It would appear from the Collector's report that these questions are being dealt with by the local officers, but it is important that they should not be lost sight of, and I am to commend to the consideration of the Board the suggestion of the Director of Land Records that a complete list should be made of the various proposals made in the reports, and that a systematic record should be maintained of the action taken in respect of each. I am also to ask that the Board will be good enough to see that the arrangements made for the maintenance of the record in the Government estates are efficiently carried out.

Relief to the flood-affected people of Faridpur.

***384. Mr. SURENDRA NATH BISWAS:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*i*) whether the Subdivisional Officers of the four subdivisions in the district of Faridpur submitted reports and estimates to the District Magistrate of Faridpur as to the requirements of relief to be given to the people affected by the last floods in their respective subdivisions; and

(*ii*) whether the District Magistrate of Faridpur submitted similar report and estimate to the Government in respect of the whole district?

(*b*) If such reports were submitted, will the Hon'ble Minister be pleased to state—

(*i*) the number of agricultural population in each subdivision and the sums of money requisitioned by each Subdivisional Officer as agricultural loan, gratuitous relief, *bhadralog* loan money and test work;

(*ii*) the sums of money requisitioned by the District Magistrate;

(*iii*) the sums of money sanctioned by Government and distributed in each subdivision under each of the abovementioned heads and the number of people who received the different kinds of relief in each subdivision; and

(*iv*) the sums of money distributed to the agriculturists as immediate relief and those distributed as agricultural loan for growing *rabi* crop in each subdivision?

(*c*) Is the Hon'ble Minister aware that the agriculturists of the district of Faridpur have not sown seeds of *rabi* crop even in 25 per cent. of the lands fit for such crop?

(*d*) If so, have the Government ascertained the reasons therefor?

(*e*) Is the Hon'ble Minister aware that the next sowing season is already on and the agriculturists of the district are in dire want of money for cultivation and sowing?

(*f*) Has the Hon'ble Minister considered the urgency of granting adequate agricultural loan to the needy agriculturists of the district for the aforesaid purpose?

(*g*) Will the Hon'ble Minister be pleased to state whether the four Subdivisional Officers and the District Magistrate have requisitioned money for distribution as agricultural loan to the needy agriculturists for the present season?

(*h*) If so, what are the amounts of such requisitions and what amounts have been sanctioned by Government?

(*i*) If not, does the Hon'ble Minister propose to direct immediate submission of such reports and to sanction adequate money for the aforesaid purpose?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*), (*e*) and (*f*) Yes.

(*b*) (*i*) and (*ii*) Government received requests from the local officers for the following amounts for Faridpur district which were granted:—

	Rs.
Agricultural loans	6,60,000
Test works	31,000
Gratuitous relief (including *bhadralog* loan money)	40,000

Government are not prepared to make public the confidential recommendations of individual officers.

Regarding the number of agricultural population in each subdivision the member is referred to the latest Census Report. Government have no more up-to-date figures than those.

(*iii*) and (*iv*) A statement furnishing the information is laid on the Library table.

(*c*) No.

(*d*) Does not arise.

(*g*) to (*i*) No separate requisition was made exclusively for the present season. A sum of Rs. 1,43,855 has been distributed for the present season and a further sum of Rs. 80,400 was in the course of distribution in the third week of March last.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether he remembers that he assured the members of this House that in the flood-affected areas Government would grant relief to the extent to which the District Magistrate would make a demand?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, I do.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether Government granted much less money than was required by the District Magistrate of Faridpur?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, the answer is in the negative.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state why then he has answered that Government are not prepared to make public the confidential recommendations of individual officers?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Because the correspondence between Government and their officers is always confidential.

Mr. SURENDRA NATH BISWAS: Sir, I asked the Hon'ble Minister to inform the members of this House what amounts were demanded by the District Magistrate of Faridpur, but the Hon'ble Minister says that Government are not prepared to make public the recommendations of the District Magistrate. When we members want to have any information, the Hon'ble Minister always says that relief will be given according to the demand of the District Magistrate. But if we want to know what the demand of the District Magistrate was, the Hon'ble Minister says that Government are not prepared to make public his recommendations.

Mr. SPEAKER: Mr. Biswas, you are only making an argument. What is your question?

Mr. SURENDRA NATH BISWAS: I am coming to that, Sir. Will the Hon'ble Minister be pleased to state what amounts were requisitioned for by the District Magistrate of Faridpur for distribution as agricultural loan and gratuitous relief last year?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I would first of all invite the honourable member's attention to question (*a*)(*i*) where he wants to know what amounts were recommended by the Subdivisional Officers of the four subdivisions; and then in question (*a*)(*ii*) he wants to know what amount was recommended by the District Magistrate. My answer is that Government are not prepared to make public the confidential recommendations of individual officers. But I venture to submit that there is no reason to assume that Government did not sanction the full amounts recommended by the Collector of Faridpur.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether Government granted as much money as was requisitioned for by the District Magistrate of Faridpur for gratuitous relief?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, that is clearly mentioned in my reply.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state what amounts were granted by Government on the requisitions of the District Magistrate, as agricultural loans and gratuitous relief?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The amounts mentioned here, Sir, viz., Rs. 6,60,000 for agricultural loans, Rs. 31,000 for test works, and Rs. 40,000 for gratuitous relief. These amounts were requisitioned by the Collector of Faridpur.

Mr. SURENDRA NATH BISWAS: Is the Hon'ble Minister aware that the District Magistrate made it a procedure of asking the respective Subdivisional Officers to submit their requisitions to the District Magistrate, so that the District Magistrate might requisition for the required amount from Government?

Mr. SPEAKER: That question does not arise here.

Mr. SURENDRA NATH BISWAS: Sir, the procedure that the District Magistrate adopted——

Mr. SPEAKER: But how does that arise here?

Mr. SURENDRA NATH BISWAS: Sir, with reference to question (*a*)(*i*), I wanted to know whether the Subdivisional Officers of the four subdivisions submitted reports and estimates to the District Magistrate of Faridpur, and the Hon'ble Minister says in reply "Yes". But Government are not prepared to publish those reports. So, the question of procedure comes in. Now, will the Hon'ble Minister be pleased to state whether he is aware that recently the Subdivisional Officer of Madaripur submitted a requisition to the District Magistrate for granting Rs. 2 lakhs more for agricultural relief?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government have no information on the point.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to enquire from the District Magistrate of Faridpur whether such a requisition has been received by him from the Subdivisional Officer of Madaripur?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government do not consider it necessary to enquire from the District Magistrate of Faridpur. If he is convinced that the amount is necessary, I am sure he will make his recommendation to Government, and Government will immediately sanction the amount.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether he is aware that the District Magistrate asked for a requisition from the Subdivisional Officer, and the Subdivisional Officer submitted his requisition to the District Magistrate, but no grant for agricultural loan has yet been made?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: That is the usual procedure. The District Magistrate, or rather the Collector, cannot form an estimate without consulting the Subdivisional Officers. He consults the Subdivisional Officers and sends on his recommendations to Government.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether he remembers that he gave an assurance to this House that no land of the cultivator will remain unsown?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir.

Mr. SURENDRA NATH BISWAS: In those circumstances if the agriculturists submit their requisitions to the Subdivisional Officers, the Subdivisional Officers submit requisitions to the District Magistrate, and the District Magistrate does not move, what is the remedy left to the agriculturists to get agricultural loans?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, the question is absolutely hypothetical. If the Subdivisional Officers submit requisitions to the District Magistrate and if the District Magistrate does not comply with their requisitions and if something happens, then what will happen? The whole question is hypothetical, and it is not possible for me to answer so many hypothetical questions, but I can assure my honourable friend that whatever amount the Collector wants, Government sanction it without any hesitation. Certainly, Sir, the Collector forms his estimate on certain facts and figures obtained from the officers under him.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whose report—the report of the Subdivisional Officers or the report of the District Magistrate—is likely to be more believed by Government?

Mr. SPEAKER: That is a matter of opinion.

Mr. SURENDRA NATH BISWAS: Sir, when the Hon'ble Minister has come to know from me as a member of this House that two requisitions have recently been submitted by the Subdivisional Officer of Madaripur to the District Magistrate of Faridpur, what is the bar for Government to enquire of the District Magistrate of Faridpur whether that is correct and whether the District Magistrate is going to recommend further loans of money for the relief of the agriculturists?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, correspondence between Subdivisional Officers and the Collector is always confidential, and I refuse to believe that my honourable friend has had access to this confidential document.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether he is aware that the Subdivisional Officer of Madaripur formed a relief committee at Madaripur, to whom the present Subdivisional Officer of Madaripur has communicated confidentially that he has submitted a report to the District Magistrate, and it

is in this way that the relief committee have come to know of the requisition, and that agricultural loans have not been sanctioned by Government and the lands of the agriculturists are remaining unsown?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: If the Subdivisional Officer has made his recommendations and if the Collector is satisfied that the money is actually necessary, I am sure the Collector will send up his recommendations to Government, and Government will certainly sanction the money. That is all that I can say on the point, and I have nothing more to add on the subject.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether, in view of the information elicited in the course of these questions and answers, Government are prepared to write to the District Magistrate to enquire whether more relief in the way of agricultural loans is needed for the poor agriculturists of Madaripur?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government are in daily correspondence with the Collectors of districts, and they do not consider it necessary to make any special reference to the Collector of Faridpur on the subject.

Western Duars khas mahals.

*385. **Babu KHAGENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state in connection with the Western Duars Government *khas mahal* for the years 1934-35, 1937-38 and 1938-39 (latest figure available)—

(*i*) the number of holdings or *jotes* advertised for sale under the Revenue Sale Law; and

(*ii*) the number of civil suits filed by the Government to recover arrear rents?

(*b*) Is the Hon'ble Minister aware—

(*i*) that certificate procedure for recovery of arrear rents was suspended temporarily; but

(*ii*) that the Government have now been taking recourse to the procedure laid down by the Revenue Sale Law; and

(*iii*) that this has deprived the tenants of the concessions which have been made by the order of the Government suspending use of the certificate procedure?

(*c*) Is it not a fact that the Revenue Sale Law is applied when there is widespread, systematic and wilful default for which no special reason exists?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons for which the Deputy Commissioner, Jalpaiguri, has adopted the Revenue Sale Law procedure in realising arrear rents?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) Number of *jotes* advertised for sale in—

1934-35	...	8
1937-38	...	135
1938-39	...	384

(*ii*) Nil.

(*b*)(*i*) Yes, for two years.

(*ii*) and (*iii*) Before the suspension of certificate procedure, Act XI of 1859 was being applied to recover arrear of rents in cases of *jotes* held under Old *Mal Jote* and Renewed *Mal Jote* leases only, and the same procedure is being followed in respect of these *jotes* after the suspension of the certificate procedure. Other *jotes* such as those held under D, A, and Ar lease forms are not now subjected to Revenue Sale Law. The tenants of this district have not therefore been deprived of any concession by the adoption of the Sale Law, and also they have agreed in their leases that arrears should be realisable by the Sale Law. There is no connection between the use of certificate procedure and the application of the Sale Law.

(*c*) and (*d*) The Sale Law is applied under circumstances provided in rule 58, of C. E. Manual, 1932.

Babu KHAGENDRA NATH DAS GUPTA: With reference to answers (*c*) and (*d*), will the Hon'ble Minister be pleased to state whether it is a fact that in the Crown Estates Manual, 1932, definite direction has been given that the Revenue Sale Law can be applicable for the realisation of the arrear rents only when there is widespread, systematic and wilful default for which no special reason exists?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, that is the provision in the Crown Estates Manual.

Babu KHAGENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to state whether there is any widespread, systematic and wilful default on the part of the tenants of Western Duars Khas Mahal?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, that is the opinion of the local officers.

Daulatpur Hindu Academy and its Muslim students.

*386. **Mr. ABDUL HAKEEM:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) the numerical strength of students of the Daulatpur Hindu Academy;

(*b*) the number of Muslim students reading in the college;

(*c*) the number of Muslim students in enjoyment of concessions in respect of tuition fees and the extent of such concessions;

(*d*) the number of Muslim students enjoying Mohsin or other stipends;

(*e*) how Arabic and Persian are taught, if at all;

(*f*) are special or ordinary facilities open to the Muslim students of the college;

(*g*) the number of Muslim teachers on the staff and their pay;

(*h*) the number of Muslim representatives on the managing committee;

(*i*) whether there is any hostel for the Muslim students within the college compound;

(*j*) whether the proposed room for the construction whereof a capital grant for holding Arabic and Persian class at the college has been provided in the Budget will be constructed within the college compound; and

(*k*) whether Government have imposed any condition relating to the capital grant?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) 699 on 31st March, 1938.

(*b*) 83 on the same date.

(c) The number is not known to this office but such concessions are given to the extent of Rs. 28 per month, the charge being met from the grant given by the Sayedpur Trust Estate. The amount of concession, if any, given from the College Fund is also not known. Fuller information will be supplied on this point later.

(d) The following stipends and scholarships were given to poor and deserving Muslim students of the college during this year but they are not permanently attached to the institution and are liable to vary:—

Science scholarship	...	4
Senior special scholarship	..	3
Junior Mohsin stipend	...	2
Special stipends	...	10
Total	.	19

(e) The college is not affiliated to the Calcutta University in Arabic and Persian. The Muslim students of the college who take up these subjects appear at the University examinations as non-collegiate students. The classes are held in the Muslim Hostel situated outside the college compound. There is a whole-time teacher of these subjects whose pay is met from the grant from the Sayedpur estate. He does not belong to the teaching staff of the college. He is also the Superintendent of the Muslim hostel.

(It is said that the college authorities cannot apply to the University for affiliation in Arabic and Persian on account of the conditions laid down in the trust deed of the College.)

(f) Ordinary facilities are open to the Muslim students of the college in respect of the teaching of subjects other than Arabic and Persian. As the college is founded on a religious endowment of the Hindus and is governed according to the terms of a trust deed, the facilities enjoyed by the Muslim students (e.g., residential facilities) are necessarily limited.

(g) and (h) Nil.

(i) to (k) No.

Babu NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state, with reference to answer (c), if Rs. 28, mentioned

therein, represents a part of the grant given by the Sayedpur Trust Estate and, if so, what is the total amount of monthly aid granted by the Trust Estate?

The Hon'ble Mr. A. K. FAZLUL HUQ: I want notice.

Mr. ABDUL WAHAB KHAN: In view of the fact that there is a sufficient number of Muslim boys in the college and also in view of the fact that the college received Government grant, will the Hon'ble Minister be pleased to consider the desirability of making it a condition of the Government grant that there should be Muslim representation on the Managing Committee?

The Hon'ble Mr. A. K. FAZLUL HUQ: The terms of the trust deed are very stringent, and I do not think it is possible to have any condition like that.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister consider the desirability of examining the trust deed himself or obtaining legal opinion thereon?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have taken legal opinion, and I may tell the House that I propose to visit Daulatpur in about a week's time when I shall go into the question myself locally.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state whether this institution enjoys any Government grant or not?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes, it does.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state why Arabic and Persian Classes are not held within the college compound?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have already given the answer; the authorities maintain that under the terms of the trust deed, they cannot entertain the services of a teacher or professor to teach Arabic and Persian. I propose to go there in a week's time and hold a conference and see how matters stand. If these questions are asked after I come back from Daulatpur, I shall be in a better position to answer them. At the present moment, I cannot say anything more than what I have already said.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state whether it is laid down in that document or deed—whatever it may be—that to teach Arabic and Persian within the college compound would be a crime?

Mr. SPEAKER: That question does not arise.

Babu NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether the special stipends, mentioned in (*d*), are granted by Government, and, if so, what is the total amount covered by these special stipends?

The Hon'ble Mr. A. K. FAZLUL HUQ: There are some stipends granted by Government and some from the funds of the Sayedpur Estate. I cannot give the details offhand; for that, I must have notice.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state why the University does not give affiliation to that college for teaching Arabic and Persian?

The Hon'ble Mr. A. K. FAZLUL HUQ: As I have already said, if these questions are put after I have gone through the matter locally, I shall be in a better position to answer them. At present, I have nothing more to say.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state whether Government are prepared to take any steps to see that the bar is removed so far as the Muslim students are concerned?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes I promise to do so.

Debt Settlement Boards, Dacca Division.

*387. **Mr. BIRENDRA KISHORE ROY CHOUDHURY:** Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to lay a statement on the table showing for the present time—

(*a*) the number of Debt Settlement Boards in each of the districts in the Dacca Division; and

(*b*) the number of Hindu and Muhammadan members of such Boards, district by district?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick):

(*a*) Dacca—159 including 6 Special Boards.

Mymensingh—464 including 14 Special Boards.

Faridpur—135 including 4 Special Boards.

Bakarganj—209 including 5 Special Boards.

(*b*) Collection of such details will involve a great deal of time and labour and I regret that I cannot direct such a course to be undertaken. No communal consideration has been raised in choosing the personnel of these Boards and the main principle has been to secure the representation of different interests in these Boards in order that they may enjoy public confidence for functioning properly.

Mr. C. MORGAN: Will the Hon'ble Minister be pleased to say, with reference to his answer (*b*), what he means by the expression "different interests"—what are the difference interests?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I had occasion to explain this before. The different interest. are creditors and debtors.

Posts of Honorary Physicians and Surgeons in Calcutta Medical College.

***388. Dr. COBINDA CHANDRA BHOWMIK:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Medical Department be pleased to state how many years the posts of the Honorary Physicians and Surgeons in the Calcutta Medical College are being held by the present incumbents?

(*b*) Whether any of them hold similar appointments elsewhere as well?

(*c*) How many times extensions have been granted to these incumbents?

(*d*) Whether Government are going to advertise in future whenever the term of any of the existing incumbents terminates?

(*e*) When will the term of each of the existing Honorary Physicians and Surgeons in the Calcutta Medical College terminate?

MINISTER in charge of the PUBLIC HEALTH and MEDICAL DEPARTMENT (the Hon'ble Mr. Jamizuddin Khan): (*a*), (*b*), (*c*) and (*e*) A statement furnishing the necessary information is laid on the table.

(*d*) The question whether a particular appointment should be advertised at the end of the term depends on the nature of the particular case. Extensions are generally granted in cases where the services of the specialists are required to be retained in the interests of the patients of the hospital. Extensions are seldom granted in respect of appointments which are meant for training of junior men. The whole policy is now under my consideration.

Statement referred to in the reply to clauses (a), (b) (c) and (e) of starred question No. 388.

Name.	Length of incumbency	Appointments held elsewhere.	Number of extension granted	Date of termination of present tenure.
	Years.			
(1) Dr. G. Galstaun, M A, D M.R E, M R C.S, L R C P, Professor of Radiology.	14	..	6	8th January, 1940.
(2) Dr. Susil Kumar Mukherji, F.R.C.S.E, D O, D.O.M.S., Honorary Ophthalmic Surgeon	11	Honorary Ophthalmic Surgeon, Carmichael Medical College Hospital, Belgatchia.	3	1st July, 1940.
(3) Dr T. Ahmed, F R C S.E, D O M S, Honorary Ophthalmic Surgeon	11	. .	3	Ditto
(4) Dr. P Chatterjee, F.R.C.S.E, Senior Visiting Surgeon	10	Attends Gobra Leper Asylum once a month as Consulting Surgeon	3	1st September, 1939.
(5) Dr. U. P. Basu, F R C P. (I) Senior Visiting Physician.	10	Teacher of Medicine and Physician, Calcutta Medical School.	3	Ditto.
(6) Dr. A. C. Ukil, M S F.E, Senior Visiting Physician, Chest Department	8	In charge of Tuberculosis Inquiry, I R F A. All-India Institute of Hygiene.	2	1st July, 1939
(7) Dr. A. N. Gupta, Honorary Dermatologist.	8	Honorary Dermatologist, Carmichael Medical College Hospital, Belgatchia.	5	30th June, 1939.
(8) Dr. Satyaban Roy, in charge of Ear, Nose and Throat Department.	4	...	1	22nd January, 1939. Further extension under consideration.

Name.	Length of incumbency.	Appointments held elsewhere.	Number of extension granted.	Date of termination of present tenure.
	Years.			
		Junior visiting staff.		
(9) Dr. J. C. Banerjee, M.R.C.P.	6	Visiting Physician, Howrah General Hospital.	1	23rd July, 1939.
(10) Dr. D. R. Dhar, M.R.C.P.	3	Associate Teacher of Medicine, National Medical Institute and Visitting Physician, Chittaranjan Hospital.	1	15th November, 1939.
(11) Dr. A. K. Bose, M.R.C.S., L.R.C.P.	6	....	1	23rd July, 1939.
(12) Dr. S. J. G. Nairn, F.R.C.S.	4	....	1	5th April, 1939.
(13) Dr. P. Sanyal, F.R.C.S.	2	Honorary Junior Visiting Surgeon, Chittaranjan Hospital.	..	5th April 1940.
(14) Dr. R. N. Ghosh, F.R.C.S.	3	Associate Professor of Anatomy, National Medical Institute.	1	31st December, 1939.
(15) Dr. K. K. Ghosh, F.R.C.S.E., D.L.O.	3	....	..	27th April, 1939.
(16) Dr. A. N. Bose, L.D.S.	2	Honorary Dental Surgeon, Tata Iron and Steel Co., Honorary Dental Surgeon to the Seamen's Clinic, Honorary Lecturer on Dental Histology and Dental Prosthetic in Calcutta Dental College.	.. ..	27th October, 1939.
(17) Dr. N. Mukharji ..	7	....	2	30th June, 1940.
(18) Dr. Mrs. Edith Ghose	7	....	5	1st April, 1941.
(19) Dr. A. Acharjee, M.R.C.S., L.R.C.P., D.C.O. G.D.G.O.L.M.	3	Honorary Gynæcological Surgeon, Howrah General Hospital, and Clinical Tutor, National Medical School, Calcutta.	..	18th July, 1939.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state whether advertisements are at all made now?

The Hon'ble Mr. TAMIZUDDIN KHAN: I think, in certain cases, they are made.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to give us an idea of the particular cases which demand advertisement and others which do not demand advertisement?

The Hon'ble Mr. TAMIZUDDIN KHAN: That is a question of general nature and, unless particular cases are mentioned, I cannot answer the question.

Mr. DHIRENDRA NATH DATTA: Sir, my question has not been answered. My question is: Will the Hon'ble Minister be pleased to give us an idea of the nature of cases which will demand advertisement and cases which do not demand it?

The Hon'ble Mr. TAMIZUDDIN KHAN: I want notice.

Muslim students of the P. C. College, Bagerhat.

*389. **Mr. ABDUL HAKEEM:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) the present numerical strength of the P. C. College, Bagerhat;

(*b*) the number of Muslim students reading in the college;

(*c*) the number of Muslim students in enjoyment of concessions in respect of tuition fees and the extent of such concessions;

(*d*) the number of Muslim students enjoying Mohsin or other stipends;

(*e*) the special facilities, if any, open to the Muslim students of the college;

(*f*) the number of Muslim professors or lecturers on the staff;

(*g*) the total strength (numerical) of the staff;

(*h*) the number of Muslim representation on the Governing Body;

(*i*) the number of Muslim students residing in the attached hostels; and

(*j*) how many hostels are there for the Muslims?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) 347.

(*b*) 99.

(*c*) Rs. 2 each, 16.

(*d*) 8.

(*e*) The college is affiliated in Arabic and Persian up to the B.A. standard. There is a Muslim hostel in the college compound with a Muslim professor as Superintendent. Many Muslim students are provided with free board and lodging in local private families. There is also a Prayer Hall attached to the college and a special hour is given to them for the Friday prayer.

(*f*) 2.

(*g*) 19.

(*h*) 5.

(*i*) 11.

(*j*) One in 2 sections.

Working of the Bengal Sanskrit Association.

***390. Mr. ANUKUL CHANDRA DAS:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) whether he has considered the report of the last Committee appointed by the Government to enquire into the working of the Bengal Sanskrit Association; and

(*ii*) whether it is in contemplation to separate the function of Secretary of the above Association from that of the Principal, Sanskrit College?

(*b*) Is the Hon'ble Minister aware—

(*i*) that the present Secretary to the Association has made certain defaults;

(*ii*) that a series of irregularities have occurred; and

(*iii*) that in a supplementary issue of the *Calcutta Gazette* in 1938, names of some successful candidates were afterwards withdrawn by the said Secretary?

(*c*) If the answer to (*b*) (*iii*) is in the affirmative, will the Hon'ble Minister be pleased to state whether any inquiry was made into the matter to find out the person or persons responsible for the publication?

(*d*) Is it also a fact—

(*i*) that the function of the Calcutta Pandit Sava has been suspended; and

(*ii*) that it has not been allowed to accept applications for examination?

(*e*) If so, what is the reason for the suspension?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) The report is still under consideration.

(*b*) (*i*) No.

(*ii*) and (*iii*) Yes.

(*c*) The matter is under police investigation.

(*d*) Yes.

(*e*) Because this step was considered desirable pending the result of the enquiry.

Mr. ANUKUL CHANDRA DAS: With reference to (*a*), will the Hon'ble Minister be pleased to state when was the report given to the Government?

The Hon'ble Mr. A. K. FAZLUL HUQ: There was an *ad interim* report and the final report was submitted to Government only a couple of months ago.

Mr. ANUKUL CHANDRA DAS: With reference to (*c*), will the Hon'ble Minister be pleased to state when will the matter be finished?

The Hon'ble Mr. A. K. FAZLUL HUQ: The report raises certain important points for consideration and these are being discussed by the members. I propose to have a meeting of the committee very soon, and although I cannot give you the exact idea of time, I hope, I will be able to pass definite orders in the course of this month.

Number of recognised high English schools and scholarships reserved for certain districts, etc.

***391. Mr. SYED ABDUL MAJID:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state the number of recognized high English schools and the number of Government scholarships of Rs. 10 each reserved for each of the districts of Murshidabad, Pabna, Nadia, Rangpur and Noakhali?

(*b*) Are the Government considering the desirability of reserving at least 2 scholarships for the Matric candidates of the Noakhali district?

The Hon'ble Mr. A. K. FAZLUL HUQ: The member is referred to the reply given to starred question No. 283, asked by Mr. Harendra Kumar Sur during the current session of the Assembly.

Government grant for the hostel extensions of the Karatia College.

***392. Mr. MIRZA ABDUL HAFIZ:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware that there is no adequate hostel accommodation in the Karatia College?

(*b*) Are the Government considering the desirability of—

(*i*) granting a lump sum (1) for extension of hostels and (2) for construction of college buildings; and

(*ii*) provincialising the Karatia College?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) (*i*) (1) A sum of Rs. 6,830 has been sanctioned by Government and will be available for expenditure during the current year.

(2) A sum of Rs. 67,500 representing half the estimated cost of a new building for the college has been provided in the budget for 1939-40.

(*ii*) There is no scheme to this effect ready for consideration of Government.

Rajshahi Basanta Kumar Agricultural Institute.

***393. Maulvi MANIRUDDIN AKHAND:** Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) the number of Rajshahi College students receiving at the present time practical and theoretical training in the Basanta Kumar Agricultural Institute at Rajshahi;

(*b*) the number of outsiders who are whole-time students of the institute;

(*c*) how many of them are Muhammadan students;

(*d*) which of the courses such as dairy farming, horticulture, poultry, cigar making and agricultural farming have been taken up for training by the said institute; and

(*e*) the amount, if any, that Government contributes to the said institute?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) No students of the Rajshahi College are at present reading in the institute.

(*b*) Eighteen.

(*c*) Two.

(*d*) Dairy farming, horticulture, poultry, cigar making and agricultural farming.

(*e*) There is no Government contribution.

Improvement of agricultural lands in Western Duars Khas Mahals.

***394. Babu KHAGENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state the total land revenue demand both current and arrear in the years 1937-38 and 1938-39 and total collection both on current and arrear in 1937-38 in the Western Duars Government *khas mahal*?

(*b*) Will the Hon'ble Minister be pleased to state whether any amount has been spent by the Government under the present Ministry for the improvement of the agricultural lands in the Western Duars Government *khas mahal*?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state the total amount spent, year by year, and the nature of improvements done?

The Hon'ble Sir BIJOY PRASAD SINCH ROY:

	1937-38.	1938-39.
	Rs.	Rs.
(*a*) Total demand ..	18,47,775	18,24,238
Total collections ..	9,05,046	...

(*b*) and (*c*) The lands in the Duars do not need embankments or drainage, but Government have spent large sums on communications and the improvement of markets and have established agricultural demonstration farms. In addition grants are made for dispensaries, rural water-supply, playing fields and rural sanitation. A statement showing the total amounts spent during 1937-38 and 1938-39 is laid on the table.

Statement referred to in the reply to clauses (b) and (c) of starred question No. 394 showing the amounts spent by Government in the Duars since 1st April, 1937, on improvements from different sources.

Sources.	Grants. 1937-38.	1938-39.
	Rs. a.	Rs. a.
(1) Government Estates improvement grant—		
Agricultural Sub-Overseers ..	500 0	500 0
Sanitary improvements ..	500 0	3,848 0
Other charges ..	1,500 0	445 0
Total ..	2,500 0	4,793 0
(2) 1½ per cent. grant for roads and communications—		
Original work	9,691 0	7,274 0
Repair work	11,487 0	8,989 0
Total ..	21,178 0	16,263 0
(3) Western Duars Market Fund—		
Well	1,056 6	978 15
Drain	1,987 10	5,690 7
Road	11,121 12	17,269 13
Sanitation	3,200 0	1,497 0
Medical	9,731 4	9,514 7
Total ..	27,097 0	34,950 10
(4) Rural uplift grant—		
Rural water-supply	1,170 0	8,922 0
Playing fields	800 0	490 0
Roads	830 0	4,520 0
Other projects	730 0	3,750 0
Total ..	3,530 0	17,682 0
Grand total ..	54,305 0	73,688 10

Conduct of police officers in connection with Cossipore-Chitpore riot.

*395. **Mr. SASANKA SEKHAR SANYAL:** (*a*) Is the Hon'ble Minister in charge of the Home (Police) Department aware of the fact—

(*i*) that on or about the 5th of March, 1939, there was a riot in the Cossipore-Chitpore area and its vicinity;

(*ii*) that some respectable gentlemen of the locality, viz., Gobinda Singh, age 80 years, Jaynarayan Singh, age 65 years, Khoka Chowdhury, Jhari Singh, and others were arrested on suspicion;

(*iii*) that they were detained in *hajat* and subsequently let off;

(*iv*) that at the instance of the officers-in-charge of Chitpur and Cossipore police-stations, some people were molested by police sergeants;

(*v*) that several respectable persons went to the police-station to lodge information but they were turned out;

(*vi*) that no police investigation was made with regard to the murder of one man, named Cowri Sing, as a sequel to the riot;

(*vii*) that the dead body of the said deceased was not made over to his relations; and

(*viii*) that a *hartal* was observed by the local people as a mark of protest and condemnation against the indifferent attitude of the police?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, he intends to take against the police officers concerned?

(*c*) What steps, if any, does he propose to take to prevent its recurrence in future?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) Yes.

(*ii*) and (*iii*) Certain arrests were made on the information before the police and some of the persons arrested were detained pending investigation. All were however subsequently released on bail.

(*iv*) No. On the other hand in attempting to suppress the riotous conduct of some of the inhabitants of the area in which considerable damage was done to person and property, one Deputy Commissioner, one Assistant Commissioner, one Sub-Inspector, and one constable were seriously injured while another Deputy Commissioner and two other constables had also received some injuries.

(*v*) Government have no information.

(*vi*) Regular police investigation was made.

(*vii*) No. It was cremated by his relatives.

(*viii*) No. There was a meeting of the elected representatives of the Hindus and Muhammadans of the Chitpore and Cossipore area for the settlement of communal disputes on the afternoon of the 21st. A settlement was reached and at the termination of the meeting both parties unanimously expressed their thanks to the police for ably handling a very difficult situation to the satisfaction of all.

(*b*) None.

(*c*) Adequate steps have been taken to preserve peace.

Mr. SASANKA SEKHAR SANYAL: With reference to answer (*a*) (*vi*), will the Hon'ble Minister be pleased to state what is the result of the police investigation?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Sj. NARENDRA NATH DAS GUPTA: Is the Hon'ble Minister aware that when the dead body of Cowri Sing was demanded by his near relatives and distant relatives, only his brothers and near relatives were allowed to see the dead body while the others were not?

The Hon'ble Khwaja Sir NAZIMUDDIN: The dead body was handed over to the nearest relatives.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state the names of the elected representatives referred to in answer (*viii*)?

The Hon'ble Khwaja Sir NAZIMUDDIN: I think there is some mistake. The word should be representatives instead of elected representatives. I am not sure if they were elected representatives.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state the names of those persons?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice. I have not got the names here.

Rai HARENDRA NATH CHAUDHURI: Will the Hon'ble Minister be pleased to state by whom were these persons elected?

The Hon'ble Khwaja Sir NAZIMUDDIN: As I have already stated, they were not elected representatives.

Frequent changes in the postings of Subdivisional Officer, Kurigram, Rangpur.

*396. **Mr. JATINDRA NATH CHAKRABARTY:** (*a*) Is the Hon'ble Minister in charge of the Home (Appointment) Department aware—

(*i*) that in August or September, 1937, Babu Akhoy Kumar Bose, the Subdivisional Officer of Kurigram, district Rangpur, took 3 months' leave after serving there for 4 years;

(*ii*) that posting of Babu Benoy Bhuson Das Gupta was notified in his place;

(*iii*) that in the next issue of the *Calcutta Gazette* the posting of Babu Benoy Bhuson Das Gupta was cancelled;

(*iv*) that Maulvi Md. Ahmedullah was posted there instead;

(*v*) that about after one year the transfer of Maulvi Md. Ahmedullah was gazetted in January, 1939;

(*vi*) that Babu Nitya Gopal Roy was transferred to Kurigram as Subdivisional Officer;

(*vii*) that in the next gazette the transfer of Babu Nitya Gopal Roy to Kurigram was cancelled; and

(*viii*) a Muslim officer was transferred to Kurigram?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what are the reasons for the frequent changes in the postings?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) Yes.

(*b*) Considerations of the public interest.

Mr. JATINDRA NATH CHAKRABARTY: With reference to answer (*b*), will he Hon'ble Minister be pleased to state what public interests were served by these frequent transfers?

The Hon'ble Khwaja Sir NAZIMUDDIN: There have not been frequent transfers. I should like to know to which question he refers. I do not admit that there has been any frequent transfer.

Mr. JATINDRA NATH CHARABARTY: I refer to question (*a*).

The Hon'ble Khwaja Sir NAZIMUDDIN: The question (*a*) consists of question Nos. (*i*) to (*viii*) of which the answer is "Yes". The facts are correct but that does not mean that there had been frequent transfers.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Co-operative Organisation of fishermen at Goalundo Chat.

166. Mr. DHANANJOY ROY: (*a*) Is the Hon'ble Minister in charge of the Co-operative Department aware that the Special Officer for Fisheries and Assistant Marketing Officer and also the Registrar of Co-operative Societies, Bengal, with the Assistant Registrar of Co-operative Societies, Faridpur Division, went to Goalundo to organise the Fishermen Co-operative Society to safeguard the interests of the *bona fide* fishermen from the owners of the fisheries and lease-holders of Khutaghari from the Faridpur *khas mahal* and *Bokhra* of fish *chalans* at Goalundo *ghat*?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state its present stage?

(*c*) What action, if any, do the Government propose to take in the matter?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*) The Registrar and the Assistant Registrar, Faridpur, visited Goalundo in connection with the organisation of the Goalundo Fishermen Society.

(*b*) The society has been registered and a departmental officer has been appointed as Chief Executive Officer to complete the preliminaries and start working. The Subdivisional Officer, Rajbari, has become the *ex-officio* Chairman of the Society.

(*c*) Does not arise.

Grievances of tenants of Sagaur Island.

167. Mr. NIKUNJA BEHARI MAITI: (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*i*) whether he has got any petition by the tenants of Ferintosh, Towerland first portion, and Bamunkhali in Sagaur Island in the mouth of the Hooghly, setting forth their grievances and praying for remedy;

(*ii*) what is the total area of the lands referred to in (*i*);

(*iii*) how much do Government get from those lands as revenue, as road cess and as on other accounts;

(*iv*) when and with whom was the settlement of those lands made;

(*v*) when will that settlement terminate; and

(*vi*) was there any stipulation made for protection of tenants in regard to—

(1) enhancement of rent,

(2) realisation of abwabs,

(3) failure to repair boundary bunds, and

(4) failure of, or damage to, crops for that reason?

(*b*) Will the Hon'ble Minister be further pleased to lay on the table a copy of the *patta* granted and *kabuliyat* given in execution of the settlement?

(*c*) If the answer to (*a*) (*i*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) whether any enquiry has been made in regard to the complaints in the petition; and

(*ii*) if so, what action, if any, has been taken in the matter.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*)(*i*) Yes.

(*ii*) The total area is as follows:—

	Bighas.	K.	Ch.
Ferintosh ..	15,258	4	3
Towerland	7,348	15	1
Bamankhali	3,820	11	8

(*iii*) Revenue—Nil.

Road cess—Rs. 2,617-3-3, Rs. 830-13-6 and Rs. 482-0-9, respectively.

(*iv*) Ferintosh and Bamankhali were settled with A. R. McIntosh and Towerland with A. R. McIntosh and two others, namely, John Maxton and Nabin Chandra Das in 1875.

Kumar Bhupendra Nath Mukherji of Uttarpara is the present proprietor of all these estates.

(*v*) The estates being permanently settled free from present and future revenue demands, are not open to resettlements.

(*vi*) No.

(*b*) As all the leases contain the same terms, a copy of one of them is laid on the table.

(*c*) The Collector of the district has been asked to enquire and report on the allegations and his report is now being awaited.

Statement referred to in the reply to clause (b) of unstarred question No. 167.

THIS INDENTURE made the Nineteenth day of January One thousand eight hundred and seventy-six Between the Secretary of State for India in Council of the one part and *Alexander Rankin McIntash* of Calcutta Merchant and Agent of the other part Witnesseth that the said Secretary of State for India in Council in consideration of the release and surrender by the said Alexander Rankin McIntash of the estate lands heriditaments and premises hereinafter described and intended to be hereby granted and in consideration of the convenants on the part of the said Alexander Rankin McIntash hereinafter contained Doth hereby in virtue of all powers and authorities enabling him in that behalf and so far as he lawfully can or may by these presents grant and convey unto the said Alexander Rankin McIntash and his heirs, etc., all that piece or parcel of land commonly called or known as "Ferintosh" Estate containing by estimation Fifteen thousand two hundred and fifty-eight bighas, four cottahs and three chittaks or thereabouts situate in Saugore Island in the Registration District of the 24-Parganas and Sub-district of Diamond Harbour and Thana of Sultanpur and known as Saugore Island Grant No and butted and bounded as follows that is to say on the North by the Committee Creek and a line drawn in a westerly direction from the said Committee Creek to the Hooghly River on the East by the River called Moorigunga Channel Creek or Baratulla River on the South partly by a khal formerly called Bhagma khalee but now called or known by the various names of Mooreegunga Shikarpur or Company's char khal and partly by Bameen khali khal and a second khal called Mooreegunga and partly by a line drawn from the last named. Mooreegunga khal to the Hooghly River and on the West by the River Hooghly all which said estate is roughly delineated in the map or plan hereinto annexed and is surrounded by a red line Together with all buildings and erections of every kind lying and being in or upon or belonging to the said estate lands heriditaments and premises and all ways, paths, passages, water, water-courses, trees, mines, minerals, easements Eights members and appurtenances belonging or appertaining thereto or therewith usually held and enjoyed (except as hereinafter excepted). To hold the said estate lands and premises, etc., hereby granted unto and to the use of the said Alexander Rankin McIntash his heirs and assigns for ever free from all present land future demand on account of Government land revenue but subject to all general taxes and local rates now as hereafter

to be imposed by law in respect thereof and to all claims of the Government of India or Government of Bengal in respect of such land other than claims for Government land revenue except and always reserved to the said Secretary of State in Council his successors and assigns and to all other persons the right of freely using any Creek or Nullah for purposes of Navigation or Irrigation or the transport of timber for other property or any other purposes of general utility and the said Alexander Rankin McIntash hereby for himself his heirs executors administrators and assigns hereinafter collectively called the said Grantee Covenants with the said Secretary of State for India in Council and his successors in manner following that is to say:—

First.—That at the site marked A A. in the said plan the said grantee shall excavate or cause to be excavated in a good sufficient and workmanlike manner a small tank to be surrounded by an embankment in manner and of the height and dimensions hereinafter mentioned such embankment to be cut in terraces upon the inner side or slope thereof so as to provide a place of refuge for the inhabitants of the said estate in the event of a storm wave passing over the same.

Second. That the dimensions of the said tank shall not be less than two hundred feet in length by one hundred and fifty feet in width and the embankment surrounding the same shall not be less than sixteen feet six inches in height above the level of the land and the crest thereof shall not be less than five feet in breadth and the gradients of slopes of the said embankments shall not be less than three and half to one on the outside and not less than two to one inside the said embankment.

Third. That the embankment in the last paragraph mentioned shall be properly rammed and turfed and that all round each tank there shall be a clear and level space or sward between the edge of the tank and the inner base of the embankment of not less than fifty feet in breadth.

Fourth. That the Grantee shall not at any time hereinafter erect or suffer to be erected any building for habitation or permit or suffer any existing building to be used as a habitation at a greater distance than one English mile from the outer embankment of such place of refuge as aforesaid unless such building is raised to a height of sixteen and a half feet of foundation above the level of the land and that the said Grantee when good and convenient meds or bunds leading upto the protective marks do not already exist shall at his own expense construct or cause to be constructed in a substantial and workmanlike manner good and convenient roads or bunds of the kind ordinarily used for communication in the neighbourhood with a level crest not less than 3 feet in breadth connecting the tanks or places of refuge aforesaid with the country roads or bunds leading to the habitation on the said estate.

Fifth.—That the said Grantee shall complete all the protective marks and roads or bunds on or before the thirty first day of January one thousand eight hundred and seventy nine and shall show satisfactorily progress in their construction at the termination of each intermediate year.

Sixth.—That the said Grantee shall and will from time to time and at all times hereafter keep the said protective works roads or bunds in good and substantial order and repair and all such repairs shall be done and executed with all possible despatch.

Seventh.—That upon or failure or neglect on the part of the said Grantee to complete the said protective works roads or bunds on or before the said thirty first day of January and one thousand eight hundred and seventy-nine or to show satisfactory progress in the construction thereof at the termination of each intermediate year or upon failure or neglect to do and execute all or any such repairs as may be required under clause 6 of these presents with all possible despatch then and in all and any of the said cases and so often as such failure and neglect shall happen it shall be lawful for the said Secretary of State to undertake and complete such protective works roads or bunds or such works as may be necessary for such repairs and maintenance and the cost thereof together with a further sum of ten per cent. on the said cost as and by way of fine or penalty shall thereupon become due and payable by the said Grantee of the Secretary of State for India in Council his heirs successors or assigns and the same shall be recoverable from the said Grantee by such process as now is or hereafter may be in force for the recovery of arrears of Government Revenue Provided always that reasonable notice in writing shall have been given to the said Grantee of the inspection by the Commissioner of the Sunderbands or other officer directed to make the inspection on which the report of such failure or neglect is founded.

Eighth.—That the said fact of such failure and neglect as aforesaid shall after local inquiry conducted by the Sunderbands Commissioner or other officer be finally determined by the Board of Revenue or such other Board or officers as shall be appointed by the said Secretary of State or Government of Bengal in that behalf and of which local inquiry and determination the said Grantee shall have due notice and shall be allowed to be heard and to appear and produce evidence and be timely provided by the said authorities with copies of all papers other than those considered and marked confidential and treated as such by the authorities which may be brought under consideration or referred to as bearing upon the matters of the said local investigation and determination on application being made by the said Grantee to this effect.

Ninth.—That the said Grantee shall not in any way interfere with the passage of boats through any open Nullah traversing the said estate and shall allow a space of not less than twenty feet in width along the

banks of such Nullahs for towing paths. IN WITNESS whereof Herbert John Reynolds—Secretary to the Government of Bengal in the Revenue and General Departments for and on behalf of the Honourable Sir Richard Temple—Lieutenant Governor of Bengal (acting in the premises for and on behalf of the said Secretary of State for India in Council) and the said Alexander Rankin McIntash have hereunto set their respective hands and seals the day and year first above written.

Sd. H. REYNOLDS,

Secretary to the Government of Bengal

A. R. McINTASH.

Mr. NIKUNJA BEHARI MAITI: With reference to answer (*a*) (*vi*), will the Hon'ble Minister be pleased to state if he is helpless in the matter?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Because it is a permanently-settled estate, Government have no hand in the matter.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to state if he has no advice to give except that the tenants should go to the law courts?

Mr. SPEAKER: That question does not arise.

Mr. NIKUNJA BEHARI MAITI: With reference to answer (*c*), viz., the Collector of the district has been asked to enquire and report on the allegations, will the Hon'ble Minister be pleased to state how long ago he has got it?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I got it about three weeks ago

Mr. NIKUNJA BEHARI MAITI: Is the Hon'ble Minister aware that petitions were submitted to the Hon'ble the Finance Minister as well as the Chief Minister and also to the Collector and Subdivisional Officer as long ago as 3rd September, 1930?

Mr. SPEAKER: That question does not arise here.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to state when he is likely to get the reply from the Collector?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is more than I can say at this stage.

Grant of stipends to the students of the Scheduled Castes in high English and middle English schools.

168. Mr. TARINICHARAN PRAMANIK: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is in the contemplation of Government to grant stipends to the students of the Scheduled Castes in middle English and high English schools from the special grant of 5 lakhs of rupees?

(*b*) If so, when?

(*c*) If the Government do not propose any stipends, will the Hon'ble Minister be pleased to state the reasons?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) The recommendations of the Scheduled Castes Education Committee on this subject are under consideration.

(*b*) and (*c*) Do not arise.

Mr. MONMOHAN DAS: Will the Hon'ble Minister be pleased to state when the recommendations of the Scheduled Castes Education Committee have been submitted and how long Government will take for their consideration?

The Hon'ble Mr. A. K. FAZLUL HUQ: It is very difficult to say. I shall try to expedite.

Imposition of rural primary education tax in Tippera.

169. Mr. DHIRENDRA NATH DATTA: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether the tax under section 34 of the Bengal (Rural) Primary Education Act, 1930, has been imposed upon in the district of Tippera?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the amount, union by union, separately?

(*c*) Is the Hon'ble Minister aware that a feeling exists amongst the people for imposition of this tax?

(*d*) Are the Government considering the desirability of making an inquiry into the matter?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes.

(*b*) A statement is laid on the table.

(*c*) A feeling against the tax may exist. No one likes to pay taxes.

(*d*) The District Magistrate orders an enquiry in all cases in which objections are received and revises assessment if the objectors show that it is unfair or inequitable or has been wrongly made. Government do not therefore propose to make an enquiry.

Statement referred to in the reply to clause (*b*) *of unstarred question No 169, showing details of assessment of education tax, union by union, in Tippera district.*

Name of Union Board.	Amount assessed. Rs. a. p.
Madhabpur	2 4 0
Chandla	1 14 0
Sashidal	11 11 6
Brahmanpara	1 11 9
Shahebabad	15 0 0
Rajapur	30 12 0
Burichang	26 10 0
Bharella	5 7 0
Mokam	8 9 6
Mainamati	13 14 0
Solanal	117 15 0
Bakshimail	10 1 0
Kalirbazar	1 5 0
Durgapur	110 11 9
Amratali	54 6 0
Panchthubi	8 7 0
Jagannathpur	95 1 0
Galiara	4 12 6
Choura	21 0 0
Bijoypur	13 3 6
Baraparā	5 1 0
Jorkaran	11 7 0
Kashinagar	38 5 3
Ujirpur	3 10 6
Kalikapur	5 1 0
Sripur	0 15 0
Shubhapur	0 6 0
Gholpasha	18 0 3
Chouddagram	30 10 6
Munshirhat	6 1 6
Roykot	Nil

Name of Union Board.	Amount assessed. Rs. a. p.
Kankapait	2 13 0
Batisha	4 2 0
Chiora	81 10 6
Dhalua	19 13 6
Mankara	1 8 0
Jodda	Nil
Daulkhar	4 14 0
Satbaria	1 14 0
Gunabati	31 5 0
Jagannath Dighi	7 12 0
Alkora	17 5 0
Bagmara	10 3 6
Bhulain	6 0 0
Perul	8 13 0
Bakai	61 14 0
Mudafarganj	38 8 6
Paschimgaon	Nil
Laksam	1,062 8 0
Belghar	Nil
Bangadda	3 12 9
Nangalkot	17 3 6
Uttarda	Nil
Govindapur	17 5 6
Jhalam	32 4 0
Baishgaon	4 3 6
Lakshanpur	9 9 0
Uttarhaola	Nil
Adra	Nil
Natherpetua	2 1 3
Suhilpur	0 6 0
Mahichail	27 7 6
Barera	0 3 0
Chandina	54 10 6
Bhawanipur	1 2 0
Khoshbash	19 6 6
Maikhar	1 8 0
Gallai	15 12 0
Barkarai	8 5 6
Jhalam	1 14 9

Name of Union Board.	Amount assessed. Rs. a. p
Deora	53 0 3
Shilmuri	1 8 0
Galimpur	Nil
Adda	1 8 0
Poyalgacha	2 4 0
Chandanpura	45 9 0
Radhanagar	51 9 0
Homna	36 12 0
Ghagatia	46 5 0
Chander Char	316 8 0
Nilakhi	251 7 0
Bhasania	25 3 0
Barkanda	5 15 0
Gobindapur	80 11 6
Jagatpur	71 10 0
Balarampur	1 3 6
Bhitikandi	108 1 6
Narandia	7 2 0
Majidpur	30 10 9
Daudkandi	53 13 0
Gaolmari	8 5 9
Panchgachia	16 14 0
Maroka	25 14 0
Sundalpur	15 0 0
Gouripur	81 14 6
Elliotganj	18 0 0
Mohammadpur	6 5 3
Hossaindi	43 14 0
Beluakandi	6 6 0
Tengarchar	21 3 0
Bhaberchar	14 1 6
Bausia	13 11 0
Guagachia	9 2 3
Imampur	3 6 0
Gazaria	22 2 0
Barashalghar	3 3 3
Subil	54 15 0
Debidwar	5 1 0
Fatehabad	5 8 6

Name of Union Board.	Amount assessed. Rs. a. p.
Jafarganj	65 4 0
Gunaighar	1 14 0
Rajamehar	Nil
Dhamti	4 6 0
Barkanta	28 0 6
Srikail	4 10 3
Akubpur	1 9 3
Purbadhair	19 8 0
Bangora	35 0 6
Chapitala	28 3 6
Jatrapur	247 15 6
Ramchandrapur	438 13 6
Muradnagar	48 3 0
Nabipur	27 6 0
Dhamghar	55 14 0
Jahapur	8 11 6
Darora	27 3 0
Paharpur	38 13 0
Chatalpar	90 7 6
Bholakut	53 13 0
Kunda	27 11 6
Goalnagar	29 10 3
Nasirnagar	278 14 9
Buriswar	44 6 3
Fandak	412 2 0
Guniauk	91 8 0
Gokarna	156 14 3
Haripur	177 4 6
Dharmandal	21 9 0
Aruail	37 5 0
Pakshimul	11 7 0
Ghunta	134 5 6
Kalikachha	73 11 0
Paniswar	20 4 0
Sarail	303 11 6
Noagaon	12 1 6
Shajdapur	22 7 6
Shahabajpur	45 0 0
Majlishpur	79 12 9

Name of Union Board.	Amount assessed. Rs. a. p.
Sushilpur	57 10 6
Talshahar	207 14 3
Netai	35 0 0
Ramrail	78 12 0
Sultanpur	135 9 0
Basudev	158 3 0
Machhihata	59 5 6
Pattan	254 13 0
Isapur	94 12 6
Chandura	159 6 6
Bodhanti	80 13 0
Harashpur	57 2 9
Paharpur	27 11 6
Singarbil	62 3 6
Araisidda	517 11 6
Sarippur	125 13 0
Mulagram	65 13 6
Dhârkhar	118 2 6
Mogra	300 2 6
Akhaura	353 13 0
Maniandha	139 1 3
Gopinathpur	12 13 6
Binauti	88 13 9
Badair	66 1 9
Meharı	66 9 0
Kasba	162 15 9
Kuti	184 12 6
Kaimpur	229 11 9
Bayak	140 13 3
Barikandi	251 4 0
Ratanpur	58 8 9
Bergaon	42 5 9
Krishnanagar	20 7 0
Sadakpur	52 14 6
Natghar	37 6 9
Bidyakut	227 3 6
Nabinagar	372 15 9
Srirampur	73 6 9
Sivpur	70 8 0

Name of Union Board.	Amount assessed. Rs.	a.	p.
Bitghar	211	6	6
Kaitala	227	8	0
Jinodepur	25	7	6
Ibrahimpur	65	11	6
Rasullabad	8	5	6
Shamagram	242	9	9
Dariadaulat	14	13	3
Tejkhali	62	5	9
Safullakandi	60	12	0
Bancharampur	109	2	6
Ujanchar	118	11	3
Salimabad	13	1	9
Rupasdi	210	4	6
Bishnupur	21	5	6
Ashikati	8	8	3
Rampur	15	14	0
Tarpurchandi	64	3	6
Balia	18	1	6
Sakhua	3	9	9
Ibrahimpur	175	3	6
Hanarchar	20	15	0
Char Nilkamal	7	15	6
Gazipur	17	4	0
Char Haim	184	1	6
Algi Durgapur	22	15	3
Saitnal	62	12	0
Sadullapur	20	0	9
Durgapur	4	1	0
Mohanpur	29	12	0
Nazirer Kandi	2	3	0
Eklashpur	7	6	0
Fatepur	8	0	3
Char Kalai	48	7	3
Matlab	92	7	9
Islamabad	5	3	9
Nayergaon	469	7	9
Narayanpur	10	9	3
Upadhi	9	8	3
Subitpur	14	11	9

Name of Union Board.	Amount assessed. Rs. a. p.
Gupti	23 10 0
Paikpara	187 5 0
Govindapur	14 4 0
Chardukhia	13 2 0
Faridganj	14 13 0
Rupsha	74 13 0
Rajargaon	75 6 0
Kalacho	16 5 0
Hajiganj	959 13 6
Barkul	34 3 6
Hatila	15 3 0
Tamta	38 15 3
Gandharvapur	268 10 3
Suchipara	52 12 3
Mehar	60 5 6
Raisree	10 13 6
Chitoshi	79 12 6
Pathair	79 6 6
Bitara	19 1 0
Shahadevpur	19 6 8
Kachua	130 0 0
Kadla	19 15 0
Karayia	12 10 6
Gohat	146 3 3
Asrabpur	14 7 0
Andikot	26 4 0
Baliathuba	5 14 6
Rajrajeswar	33 9 6

Mr. DHIRENDRA NATH DATTA: Is the Hon'ble Minister aware of the fact that no enquiry was made as contemplated by section 34 of the Primary Education Act before the tax was imposed?

Mr. SPEAKER: That is a question of legal opinion.

Mr. DHIRENDRA NATH DATTA: It is not a question of legal opinion. Section 34 contemplates that before a tax is imposed there should be a preliminary enquiry and after that if any objection is

made, there should be a subsequent enquiry. My question is whether the Hon'ble Minister is aware of the fact that preliminary enquiries as contemplated by the Act were not made?

The Hon'ble Mr. A. K. FAZLUL HUQ: There is nothing expressly in the Act enjoining upon the District Officer to receive complaints or to make enquiries, but instructions have been issued to all the District Officers to see that the imposition is just and fair. When the matter is referred to the District School Boards they generally reduce the tax where there is any hardship

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state upon what basis the tax is imposed?

The Hon'ble Mr. A. K. FAZLUL HUQ: That is a matter for the District School Board.

Mr. SPEAKER: That question does not arise

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state how many objections have been received and in how many cases revisions have been made?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot answer details like that.

Appointment of clerks in the office of the District Sub-Registrar, Dacca.

170. Mr. TARINICHARAN PRAMANIK: (*a*) Will the Hon'ble Minister in charge of the Education (Registration) Department be pleased to state how many appointments of clerks were made in the Registration Department in the district of Dacca during the tenure of office of Maulvi Fazlul Karim as District Sub-Registrar of Dacca?

(*b*) How many of them are—

(1) Caste Hindus;

(2) Scheduled Castes; and

(3) Mussalmans?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Three appointments of clerks and seven appointments of Muharrirs were made during the tenure of office of Maulvi Fazlul Karim as District Sub-Registrar, Dacca, from 2nd January, 1936, to 4th October, 1937.

		Clerks.	Muharrirs.
(*b*) (1) Caste Hindus	...	1	4
(2) Scheduled Castes	...	...	...
(3) Mussalmans	...	2	3
Total	...	3	7

Sub-Registry office at Burichang police-station, Tippera.

171. Mr. MAQBUL HOSAIN: (*a*) Is the Hon'ble Minister in charge of the Education (Registration) Department aware—

(*i*) that there is no Sub-Registry office at Burichang police-station of Tippera district; and

(*ii*) that the Additional District Magistrate, Tippera, made an enquiry in December last, about the necessity of establishing a Sub-Registry office in the said thana?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble Minister be pleased to state when do the Government propose to proceed with the work?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) Yes.

(*ii*) Yes, in December, 1937.

(*b*) As a result of the enquiry referred to above, Government are satisfied that it will not be in the public interest to open an office at Burichang. The majority of the registrants in police-station Burichang find it more convenient to go to Comilla or Kasba. This being so, a joint office at Burichang will not pay its way. Besides it will not be possible for the one joint office left at Sadar to cope with the work. The proposal to establish a Sub-Registry office at Burichang is not therefore being proceeded with.

Suspension, dismissal and reinstatement of Muhammadan Marriage Registrars.

172. Mr. TARINICHARAN PRAMANIK: Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*a*) how many Muhammadan Marriage Registrars during the tenure of office of District Sub-Registrar, Maulvi Fazlul Karim, were dismissed or suspended at Dacca; and

(*b*) how many of such Muhammadan Marriage Registrars have been reinstated subsequently?

The Hon'ble Mr. A. K. FAZLUL HUQ: Two Muhammadan Marriage Registrars were dismissed of whom one was subsequently reinstated. Three were suspended but reinstated.

Increased cost for secondary and collegiate education.

173. Mr. JACAT CHANDRA MANDAL: (*a*) Is the Hon'ble Minister in charge of the Education Department aware—

(*i*) that the cost of secondary and collegiate education has increased;

(*ii*) that tuition fees and price of text-books have also increased;

(*iii*) that the text-books are changed in every class year after year; and

(*iv*) that some text-books such as history, geography, geometry, algebra and mathematics are also changed year after year?

(*b*) Have the Government instituted any inquiry to ascertain whether the non-Government institutions are run on educational basis only?

(*c*) If the answer to (*a*) is in the affirmative, are the Government considering the desirability of reducing the expenditure of education by discouraging the practice of frequent changes of text-books?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) It is not generally so, but in the case of a few institutions fee rates have been increased

(*ii*) Excepting in the case of a few institutions the rates of tuition fees have not increased in recent years. The price of text-books are fixed on certain rates prescribed by the Director of Public Instruction. No change has been made in these rates recently.

(*iii*) and (*iv*) Text-books for use in classes III to VIII of Government and Government-aided secondary schools are approved by the Director of Public Instruction for 4 years. No change is made in the approved list within that period. The choice of books from the approved list is made by the school authorities.

(*b*) So far as Government are aware, non-Government institutions are conducted entirely on an educational basis. The University does not recognise schools conducted for profit; and it is a condition of recognition that all rights and interests in a school are vested in the Managing Committee.

(*c*) In view of answers to (*a*) (*iii*) and (*iv*), this does not arise.

Formation of Dacca District School Board.

174. Mr. TARINICHARAN PRAMANIK: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) the date of formation of the Dacca District School Board;

(*ii*) the date when its term will expire; and

(*iii*) when fresh election will be due?

(*b*) If the election is overdue will the Hon'ble Minister be pleased to state the reasons therefor?

(*c*) Will the Hon'ble Minister be pleased to state when the election is likely to be held?

(*d*) Will the Hon'ble Minister be pleased to state the number of appointments made in the Dacca District School Board?

(*e*) How many of them are from—

(1) Muslim;

(2) Caste Hindu; and

(3) Scheduled Castes?

(*f*) If no appointment is held by the Scheduled Castes, will the Hon'ble Minister be pleased to state the reasons thereof?

(*g*) Are the Government considering the desirability of recruiting Scheduled Castes men in preference to the claims of other communities?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) 1st October, 1934.

(*ii*) The normal term of 4 years expired on 30th September, 1938. The present term will expire as soon as the vacancies have been filled.

(*iii*) and (*c*) The Commissioner of the Dacca Division has been requested to take steps for holding fresh elections. His report is awaited.

(*b*) The election was delayed pending consideration of the extension of the term of the existing Board up to 31st March, 1939.

(*d*) Five members were appointed by Government.

(*e*) (1) Muslim 2
(2) Caste Hindu 1
(3) Scheduled Castes 1
(4) Christian 1

(*f*) and (*g*) Do not arise.

Necessary qualifications for the post of Assistant Analyst in the Bengal Public Health Laboratory.

175. Khan Sahib HAMIDUDDIN AHMAD: (*a*) Will the Hon'ble Minister in charge of the Public Health Department be pleased to state—

(*i*) what is the minimum qualification necessary for the post of an Assistant Analyst in the Bengal Public Health Laboratory;

(*ii*) what are the reasons for the small number of Muslims in the service as at present;

(*iii*) whether special knowledge in Bacteriology is necessary for the post of Superintendent of Vaccine Laboratory;

(*iv*) whether the permanent Superintendent of the Bengal Vaccine Laboratory is a graduate in Arts and the Assistant Superintendent is a chemist both having no knowledge in Bacteriology; and

(*v*) whether it is a fact that the present Assistant Superintendent is being sent to England for special training in Bacteriology to qualify him for filling up the post of Superintendent when the present incumbent retires?

(*b*) If the answer to (*a*) (*v*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons why in preference to medical persons having obtained D.P.H. diploma and having special knowledge in Bacteriology, a chemist is being deputed for training in the subject?

The Hon'ble Mr. TAMIZUDDIN KHAN: (*a*) (*i*) A Science or a Medical graduate.

(*ii*) Absence of qualified Muslim candidates at the time of actual recruitment.

(*iii*) Yes.

(*iv*) The permanent Superintendent of the Bengal Vaccine Laboratory is a graduate in Science (B.A. in Science course) with special knowledge in Bacteriology. He received training in Bacteriology under Colonel Sir S. R. Christopher, late Director, King Institute, Guindy, Madras, and was holding permanently the post of the Assistant Professor of Bacteriology at the Calcutta School of Tropical Medicine and Hygiene, when his services were requisitioned for starting the manufacture of cholera vaccines in Bengal. There is no post of Assistant Superintendent in the Bengal Vaccine Laboratory, but there are 2 Bacteriologists. The senior is a graduate (B.A.), with Chemistry as one of his subjects. He was holding the post of Chemist in the Darjeeling Municipality. As he had a training in Bacteriology under

Dr. Farquharson, late Medical Officer of the Planters' Association and late Medical Officer of Health, Darjeeling Municipality, and possessed a sound and practical knowledge his services were requisitioned by this department while starting the Bengal Vaccine Laboratory in 1927.

(*v*) The Senior Bacteriologist has applied for study leave, under the Study Leave Rules, for further training in Bacteriology in England at his own expense and it has been decided to grant him the leave. He is not being sent by the Government, and there is at present no proposal for promoting him to the post of the Superintendent when it falls vacant.

(*b*) Does not arise.

Mr. MIRZA ABDUL HAFIZ: What is the total number of the Assitsant Analysts and how many are Muslims?

The Hon'ble Mr. TAMIZUDDIN KHAN: I want notice.

Reduction in the number of Civil Courts in Tippera.

176. Mr. ASIMUDDIN AHMED: (*a*) Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to lay on the table a statement showing separately for the years 1935-36 to 1938-39 in the Tippera district—

(*i*) the number of suits filed in the Civil Courts;

(*ii*) the number of Munsifs and Subordinate Judges posted there during the period;

(*iii*) the amount received as court-fees during the period;

(*iv*) the amount paid as salaries of the Munsifs, Subordinate Judges and other officers of the Courts; and

(*v*) the number of cases transferred to the Debt Settlement Board during the period;

(*vi*) the number of cases decreed *ex parte;* and

(*vii*) the number of cases contested for each of the years, viz., 1935-36 to 1938-39?

(*b*) Is it a fact that the number of cases have decreased?

(*c*) If the answer to (*b*) is in the affirmative, are the Government considering the desirability of reducing the number of Courts there?

MINISTER in charge of the JUDICIAL and LEGISLATIVE DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur): (*a*) A statement is laid on the table showing figures for calendar years 1935 to 1938.

(*b*) Yes. But considerable increase in institutions of rent suits is expected this year as realisation of rent by certificate procedure has been abolished by the recent Bengal Tenancy (Amendment) Act, 1938.

(*c*) Yes.

Statement referred to in the reply to clause (a)(i) to (vii) of unstarred question No. 176.

			1935.	1936.	1937.	1938.
(*a*)(*i*)	Suits	..	46,275	47,196	38,095	30,134
	Execution cases	..	43,824	43,294	34,132	26,337
	Miscellaneous cases	..	5,976	6,311	6,439	4,620
	Total	..	96,075	96,801	78,666	61,091
(*ii*)	Subordinate Judges	..	3	3	3	3
	Munsifs	..	12	12	12	12
			Rs.	Rs.	Rs.	Rs.
(*iii*)		..	8,07,273	9,03,869	7,15,624	5,26,820
(*iv*)		..	2,83,775	2,86,539	3,08,726	2,98,233
			(Salaries of Judicial officers, ministerial officers and menials have been shown.)			
(*v*)		..	Nil	Nil	Nil	Nil
			(There is no provision for transfer of suits to the Debt Settlement Boards.)			
(*vi*)	Suits	..	30,988	31,818	27,492	19,263
	Cases	..	2,528	2,069	1,963	1,408
	Total	..	33,516	33,887	29,455	20,671
(*vii*)	Suits	..	2,708	2,819	2,731	2,249
	Cases	..	861	834	930	800
	Total	..	3,569	3,653	3,661	3,049

Mr. DHIRENDRA NATH DATTA: In view of the fact that the number of suits has decreased from 46,275 in 1935 to 30,134 in 1938 do the Government consider the desirability of reducing the number of judicial officers in the district of Tippera?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: The answer is there in which it is said that there may be a considerable increase in the institution of rent suits this year. If we find this year that the number of cases is actually falling, then the question of reducing the number of judicial officers will be considered.

Reports of the Auditor-General of India relating to the Accounts of the Province.

The Hon'ble Mr. NALINI RANJAN SARKER: In pursuance of section 169 of the Government of India Act, I beg to lay before the Assembly the reports of the Auditor-General of India relating to the accounts of this province for the year 1937-38.

Dr. NALINAKSHA SANYAL: Mr. Speaker, Sir, arising out of these reports, may we at this stage raise a question of privilege as to when the Public Accounts Committee is going to be constituted and whether the House will be denied the opportunity of enquiring into these reports?

Mr. SPEAKER: As a matter of fact, I have already taken steps in the matter. The rules framed are very complicated and elaborate. We have had to take legal opinion on those rules. I have directed the rules framed to be published in the course of this week, and as soon as the rules are published, I propose to hold the election of the Public Accounts Committee sometime before the end of the session. After that the report will be placed before the Public Accounts Committee. In the meantime, the reports will be published and circulated to the members of the House. This matter will come again before the House for further consideration. There is nothing laid down in the Constitution Act regarding the procedure. The procedure I wish to follow in this case is that by the direction of the House the report will be published and placed before the Public Accounts Committee and their report will be circulated to the members. I take it, it is the pleasure of the House to follow this. (Pause.) Accordingly the Report of the Auditor-General will now be published by order of the House.

Further Report of the Committee regarding Conduct of Business of the Assembly.

Mr. M. ASHRAFALI: I beg to present the further report of the Committee appointed to draft rules of procedure for the conduct of business of the Assembly, under section 84 (*1*) of the Government of India Act, 1935.

Mr. SPEAKER: There is just one matter which I would like to know from the Hon'ble the Home Minister and that is when does Government propose to give a date for this.

The Hon'ble Khwaja Sir NAZIMUDDIN: If sometime about the end of this session would be convenient for the members of the House, we should be glad to give it; otherwise we shall have two sets of rules during the same session and it will upset everything.

Dr. NALINAKSHA SANYAL: May we have the assurance of the Government that these rules will be operative at the beginning of the next session definitely.

Mr. SPEAKER: That is a matter for the House and not for the Hon'ble Minister.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister give us the time?

Mr. SPEAKER: If the Hon'ble Minister does not give us the time to discuss the matter, then I can assure you I shall utilise whatever power I may have to see that these rules are brought before the House.

The House will now resume the discussion of the Calcutta Municipal (Amendment) Bill, 1939.

GOVERNMENT BILL.

The Calcutta Municipal (Amendment) Bill, 1939.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

Mr. SPEAKER: In clause 2 also there are three motions.

Dr. NALINAKSHA SANYAL: Mr. Speaker, Sir, may I submit that all these amendments be disposed of one by one and not as you

have hitherto followed. If all the amendments are moved simultaneously, discussion goes on at random. I submit that some of these amendments are exclusive so that if some of them are disposed of at the beginning the others may not arise. That is why I submit that it would probably be helpful if each of these amendments is taken up independently.

Mr. SPEAKER: I hope you realise that you are supplying arguments as to why they should be taken up together. If they are not independent, it is desirable the House should be given an opportunity of discussing all the amendments. But I will have to place the amendments separately. It is a very complicated matter and I am trying to see as to how it is possible to adjust amendments of the same type as far as possible.

Rai HARENDRA NATH CHAUDHURI: On a point of order, Sir. If the amendments raise different issues altogether?

Mr. SPEAKER: I am trying to find out how they stand.

Mr. JOGESH CHANDRA GUPTA: Mr. Speaker, Sir, the short-notice amendments which have been circulated to-day complicate the matter further. We had to consider the amendments of which notice was given and we have come to a certain decision. On coming to the Assembly Hall we find that seven short-notice amendments relating to different clauses and sections of the Bill have been decided upon and the amendments stand in the name of the Chief Whip of the Government Party. I submit it would be necessary for us to consider these amendments in all their bearings and to find out the exact position as a result of these amendments.

The Hon'ble Mr. H. S. SUHRAWARDY: That will be explained.

Mr. JOGESH CHANDRA GUPTA: But we will not be able to consider them as a party. I should think under such circumstances any clause which has reference to these short-notice amendments should not be taken up for consideration to-day.

Mr. Khwaja SHAHABUDDIN: As far as the short-notice amendments are concerned, if my friend Mr. Gupta would refer to the amendments of which notice has already been given, he would find that practically they are all the same. I refer to amendments Nos. 59-63 standing in the names of Mr. Puspajit Barma and others. Mr. Barma proposes to increase the number from 84 to 85. Amendment No. 71 stands in the name of Mr. Puspajit Barma. He proposes to reduce the number of nominations from 10 to 8 and amendments Nos. 90 and 97

standing in the names of Mr. Patiram Roy and others seek to omit the "backward classes". The only amendment of importance, as far as clause 11 is concerned, is a consequential amendment for the purpose of making an adjustment of wards and reservation of seats. Therefore I do not think my friend's objection that these amendments require very serious and long consideration holds good.

Mr. JOGESH CHANDRA GUPTA: Sir, in reply I ought to point out that if the amendments of Mr. Patiram Roy, Mr. Puspajit Barma and Miss Bell-Hart would serve the purpose, it is no use considering these short-notice amendments. They might as well not be taken up and there is one amendment which particularly says "after item No. 400 insert the following item, namely,—

400A. Mr. K. Shahabuddin to move that in clause 11 in proposed Schedule III-A General Constituencies against Belliaghata, ward No. 28 for the word 'two' in column three the word 'one' be substituted and the word 'one' in column 4 be omitted."

Since the promulgation of the Calcutta Municipal Act, that ward has always enjoyed two seats, and in addition they have been claiming a third seat for the Scheduled Castes. Now it is proposed that only one seat should be allotted to that ward.

Mr. SPEAKER: But that matter can be taken up at the proper time.

Mr. RASIK LAL BISWAS: Sir, I beg to move that in clause 2 (2) in the proposed clause 61A, line 3, after the word "specified" the words "for Bengal" be inserted.

আমার এই amendment move করবার উদ্দেশ্য হচ্ছে এই যে Scheduled Castes list সম্বন্ধে তাহাতে "Scheduled Castes" mean the castes, races, or tribes, or parts of or groups within castes, races or tribes specified in Part III of the Schedule to the Government of India (Scheduled Castes) Order, 1936.

যেখানে ভারতবর্ষে যতগুলি প্রদেশ আছে সব প্রদেশেরই Scheduled Caste এর list দেওয়া আছে, এবং কলকাতা সহরে ভারতবর্ষের সব জায়গার লোকই আছে। এখন কথা হচ্ছে এই যে যদি Bengal list না হয় তাহলে অন্যান্য প্রদেশের Scheduled Castes এর যাঁরা কলকাতা সহরে আছে তাঁরাও যদি claim করে তাহলে একটা গোলমাল হবে। সেইজন্যে এখানে পরিষ্কার করে দেওয়া হয়েছে যে List specified for Bengal. Bengal এর যে list আছে সেটাই এখানে ধরা হবে। অন্যান্য প্রদেশে যে list আছে সেটা ধরা হবে না। সেইটা পরিষ্কার করে দেবার জন্যেই আমার এই Amendment করা হয়েছে। যে সুবিধা Scheduled Caste দের দেওয়া হচ্ছে তাহা বাঙ্গলার Scheduled Caste দের মধ্যেই আবদ্ধ রাখতে চাই।

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, I rise to oppose the amendment, because the Government of India Act is very clear on the point.

Mr. SPEAKER: Mr. Biswas, you want "specified for Bengal". I could have understood if it were specified for any particular community.

Babu PREMHARI BARMA: Sir, he means to say that the list for Bengal should be adhered to.

The motion of Mr. Rasik Lal Biswas that in clause 2 (2) in the proposed clause 61A, line 3, after the word "specified" the words "for Bengal" be inserted, was then put and a division taken with the following results:—

AYES—68.

Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Ahmed Khan, Mr. Syed.
Banerjee, Mr. Pramatha Nath.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Barman, Babu Shyama Prosad.
Barman, Babu Upendra Nath.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Raj Narendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das, Mr. Monmohan.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Deisi, Mr. Narendra Nath.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. Jogesh Chandra.
Jalaluddin Hashemy, Mr. Syed.
Jalan, Mr. I. D.
Jonab Ali Majumdar, Maulvi.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr Amrita Lal.
Mandal, Mr. Krishna Prasad.
Meekerjee, Dr. Syamaprasad.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. S.
Mukherji, Dr. H. C.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Naskar, Mr. Hem Chandra.
Pain, Mr. Barada Prosanna.
Pramanik, Mr. Tarinicharan.
Ramizuddin Ahmed, Mr.
Roy, Mr. Dhananjoy.
Roy, Mr. Kamakrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Shahedali, Mr.
Sinha, Babu Kshetra Nath.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Thakur, Mr. Pramatha Ranjan.

NOES—110.

Abdul Aziz Maulana, Md.
Abdul Bari, Maulvi.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Kader, Mr. alias Lal Mesh.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdulla-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.

Abdur Rasebid Mahmood, Mr.
Abdur Rashood, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi
Abdus Shahood, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hosain Ahmed, Mr.
Abul Quasem, Maulvi.
Aftab Ali, Mr.
Aftab Hosain Joardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Affazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Ashrafali, Mr. M.
Asiad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Birkmyre, Sir Henry, Bart.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Edbar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman (Mymensingh), Mr.
French, Mr. F. H.
Gomes, Mr. S. A.
Griffiths, Mr. C.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs. M.B.E.
Hatemaily Jamadar, Khan Sahib Maulvi.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawas Jah Syed.
Kennedy, Mr. I. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Mafizuddin Choudhury, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Masud Ali Khan Panni, Maulvi.
Miles, Mr. C. W.
Millar, Mr. C.
Mohsin Ali, Mr. Md.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Sulaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Putin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Noeruddin, Mr. K.
Norton, Mr. H. R.
Raikut, the Hon'ble Mr. Prasanna Deb.
Razaur Rahman Khan, Mr.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Salim, Mr. S. A.
Sanaullah, Dr.
Sarkar, Babu Madhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Wordsworth, Mr. W. C.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 68 and the Noes 110, the motion was lost.

The question that clause 2 stand part of the Bill was then put and agreed to.

Clause 3.

Mr. SPEAKER: Motions Nos. 16 to 18 are of a general character, and they will be discussed later.

Mr. SANTOSH KUMAR BASU: When will there be a discussion, Sir?

Mr. SPEAKER: As soon as the amendments are over. I will call you, Mr. Basu.

Mr. SURENDRA NATH BISWAS: Mr. Speaker, Sir, I beg to move that in clause 3 (*1*), line 2, for the word "eighty-four" the words "one hundred" be substituted.

Mr. DHIRENDRA NATH DATTA: Mr. Speaker, Sir, may I submit one point?

Mr. SPEAKER: I can say that it has been terribly difficult for me to tabulate the amendments in proper order. So, I am calling the motions according to their exact order. You will get your chance later. Will you please move your amendment No. 21?

Mr. SANTOSH KUMAR BASU: Sir, will you allow a discussion at this stage?

Mr. SPEAKER: Not now, but as soon as the amendments are moved. I think this is a very important clause.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that for clause 3, the following be substituted: "In section 5 of the said Act (1) in clause (*a*) for the word 'seventy-seven' the word 'ninety-eight' shall be substituted."

May I speak, Sir, in support of my motion?

Mr. SPEAKER: Later please. Let all the amendments be moved first.

Mr. Basu, do you want to move the amendments standing in your name, viz., Nos. 36 and 37?

Mr. SANTOSH KUMAR BASU: Yes, Sir. I beg to move that in clause 3 (*1*), line 2, for the word "eighty-four" the word "ninety-six" be substituted.

Sir, I also beg to move that in clause 3 (*1*), line 2, for the word "eighty-four" the word "ninety-four" be substituted.

Dr. NALINAKSHA SANYAL: Sir, may I again draw your attention to our embarrassment in motions being discussed in this manner? We have many amendments containing various figures, ranging from 100 to 79. Some of these, if adopted, will rule out the possibility of others coming in. I submit that the most exclusive should be taken up first, discussed, and disposed of, and, thereafter, the second most

exclusive should be taken up and so on. If that is not done, it will be difficult for us to find out the reasons for which honourable members suggest lower figures. It is quite possible, Sir, that some honourable member may have his own reasons for putting down a lower figure which may be accepted later on. If, however, other motions, which are not most exclusive, are taken up first, probably he will not be in a position to move his amendment at all. I, therefore, submit, Sir, that we should take up the most exclusive motions first.

Mr. SANTOSH KUMAR BASU: Sir, in support of Dr. Sanyal's statement, may I point out that the two motions which have just been moved by me are apparently contradictory, although they are of an exclusive character. In motion No. 36, I have suggested 96 and in motion No. 37, 94. At the same time, I have got my reasons in support of each of them, although they are of an exclusive nature. If my reasons for the first one do not find favour with this House, then only the other motion will come up.

Similarly, with regard to the motion asking for a total number of 100 seats. If that succeeds, then there will be no necessity for us to fall back upon the other two motions.

Mr. SPEAKER: Mr. Basu, do you seriously suggest that we should take up first the motion asking for 100 seats, then 98, then 96, and so on?

Mr. SANTOSH KUMAR BASU: Yes, Sir, and for this reason, that, so far as the allotment of seats is concerned in the Bill itself, the allotment has been made on a certain principle according to the sponsor of the Bill, and he has calculated the total number of seats in the different constituencies and put them in in this particular Bill. We might object to this allocation, and on that basis we have framed these motions. If we accept a portion of that allocation, then a certain number follows. I will put it separately in that order. But the difficulty is that one joint debate on apparently inconsistent motions will be of no avail. (The Hon'ble Mr. H. S. SUHRAWARDY: Alternative argument!) I am glad, Sir, that my honourable friend has pointed out our difficulties and is trying to help us. At the same time, however, he has increased our difficulties. (Laughter.) What I am suggesting is this: for me to stand up and support 100 seats in one breath and in the next breath to fall back upon 98 is a feat which I am not capable of performing. It may be, Sir, that the gentlemen of the Treasury Benches might perform that feat! But so far as I am concerned, I confess that I am not up to it. Therefore I submit that if you will kindly take up these motions, one by one, it will facilitate discussion rather than hamper it in any way.

Mr. SPEAKER: I would ask the members not to confuse the different issues. I do not want to take up other amendments over this clause except only about the number. As regards the point raised by Mr. Basu that it is quite possible to put before the House the point of view why he wants "ninety-six" and failing which he wants "ninety-four", I may say that that is a procedure which has been followed all along, and I hope the House will kindly help me.

Mr. HEM CHANDRA NASKER: Sir, I beg to move that in clause 3 (*1*), line 2, for the word "eighty-four" the word "ninety" be substituted.

Mr. PUSPAJIT BARMA: Sir, I beg to move that in clause 3(*1*), line 2 for the word "eighty-four" the word "eighty-eight" be substituted.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that in clause 3(*1*), line 2, for the word "eighty-four" the word "eighty-seven" be substituted.

Dr. NALINAKSHA SANYAL: Sir, are we to understand that you have not permitted Mr. Shahabuddin to move his short-notice amendment in view of the fact——

Mr. SPEAKER: If nobody moves it, then he will move it.

Mr. HEM CHANDRA NASKER: I beg to move that in clause 3(*1*), line 2, for the word "eighty-four" the word "eighty-five" be substituted.

Mr. SPEAKER: I think it would be desirable that there should be one discussion on all these amendments, because they are of the same type.

Mr. SARAT CHANDRA BOSE: Sir, may I make a suggestion for your consideration? Having regard to the figures given in the short-notice amendments of Mr. Shahabuddin, I think one may assume that Government have come to a certain decision regarding the number to be inserted in place of 77. At the present moment, Government decision is that 85 and not 84 be substituted in place of 77, and there are also other short-notice amendments which, though not directly concerned with this clause, also show that they are connected with the main question. For instance, the number of Councillors to be appointed by the Provincial Government has been reduced from 10 to 8. I think it would facilitate discussion if Government were to declare their policy underlying the short-notice amendments which have been

given notice of by Mr. Shahabuddin. I think the House is entitled to know on what basis these new figures have been arrived at. Are they based on population—the percentage of population of the different communities inhabiting this city or are there other considerations affecting the matter? For instance, Muslims enjoy a certain percentage of population: Hindus enjoy a certain percentage: Europeans enjoy a certain percentage: Anglo-Indians enjoy certain other percentage, and among the Hindus the Scheduled Castes enjoy a certain percentage. On all these matters, Government have taken time and they have come to a decision quite recently—in fact, as far as one can judge, the decision was arrived at only to-day. I think, Sir, before discussion commences, the House is entitled to have a declaration of the Government policy underlying these amendments and if an explanation is given as to the basis on which these new figures have been arrived at, the House would be in a better position to discuss the justice of these figures and the necessity for these changes and the policy underlying these changes which have been made at the last moment.

Mr. SANTOSH KUMAR BASU: Sir, in support of the suggestion put forward by my leader, may I just point out to the Hon'ble Minister that, while introducing the Bill, he mentioned certain reasons which had actuated the Government to make this allocation of seats. These reasons were further discussed in the Select Committee and we also had an inkling of the mind of the Hon'ble Minister and the purpose of the Government at that stage. At the last moment, certain other proposals have come forward. We do not know what really are the reasons which have actuated Government in bringing forward these new proposals. These new proposals have come up before the House in the shape of short pithy amendments without any reasons being put forward for us to judge them on their merits. It is certainly difficult for us to judge them at this stage, particularly because these amendments are mixed up and intimately connected with the amendments which have already been placed before the House and also the clauses of the Bill itself.

Mr. SPEAKER: I think, you want merely a statement of the Government policy and not a discussion on that.

Mr. SARAT CHANDRA BOSE: Yes, Sir, I want a statement of the Government policy explaining the reasons for these changes and on what basis these changes are made.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I wish to make a very short statement for making the Government position clear, and I hope, after I have made my statement, it will be evident that we

have been at great pains to meet public opinion to the full. Sir, at the present moment, the position is, if our amendments are accepted, that in a House of 93 Councillors, apart from Aldermen as many as 47 will be returned through General Electorates—or in other words, we have given a majority to the general electorates so far as the entire body of Councillors is concerned; then there will be 22 Muhammadan Councillors elected, 2 will be elected to represent Labour, 2 to represent Anglo-Indians, 12 to represent special constituencies and 8 will come through nomination, of which 3 will be reserved for members of the Scheduled Castes. As regards the rest, the idea is to give two seats to ladies. Now, Sir, with this end in view, we have decided to increase the number, as shown in the amendment, from 84 to 85 and the consequential amendments have accordingly been put before the House. I maintain that in this Bill there has been given a majority to the general seats, and, over and above that, there is special representation. That is the principle that has guided us and on that principle the Chief Whip of the party has given notice of certain short-notice amendments, which, I hope, will be accepted by this House.

Dr. NALINAKSHA SANYAL: Without in any way desiring to have a discussion may I have a further elucidation of facts in this connection? Our leader has already asked a specific question as to how these figures have been arrived at either on the basis of the percentage of population of different communities or on any other basis. If the figure of 17, as mentioned by the Chief Minister for General Constituency, includes the Europeans, the Anglo-Indians, and the Jews who have often been successful in two or three wards, then, I submit, there will be no majority of elected seats for the majority community. I would like to know if Government have considered this fact.

There is another point In a press communiqué it was stated that there was absolutely no foundation of facts about some differences of opinion in the Cabinet regarding the distribution of seats, whereas we in this House know that last time when we met this Bill had to be postponed because of certain sharp differences, and as a result thereof we had to take respite for about 10 days. In this respect may we know clearly if the Hon'ble Ministers are all unanimous in regard to this distribution of seats?

(Mr. Premhari Barma wanted to speak.)

Mr. SPEAKER: I cannot allow you to speak now. As a special case I allowed the Leader of the Opposition to make a statement, and I also allowed the Leader of the House to make a statement. So far as other questions are concerned, that is a point which, I hope, the Hon'ble Minister when he will reply will kindly remember.

Mr. SARAT CHANDRA BOSE: May I have your permission to raise one or two points arising out of the Chief Minister's statement? You might remember that my enquiries were directed to find out how these figures have been arrived at, whether on the population basis or any other basis? I wanted a declaration of Government's policy on that point. As far as my knowledge of the population figures of different communities goes, I cannot fit them in with the figures of the different seats allotted under the different heads. For instance, the General Constituency is given 47 seats. One may take it, generally speaking, it represents Hindu seats. What is the Chief Minister's figure of the population of the Hindus in Calcutta and how does it fit in? Does this figure 47 which has been allotted to the General Constituency fit in with the population basis? That was one of the matters I tried to elicit from the Chief Minister.

Mr. SPEAKER: That is a general matter. It does not concern the new amendments, but goes to the very root of the Bill.

Mr. SARAT CHANDRA BOSE: I know the Bill is avowedly of a communal character. It is very different from Bills such as the Bengal Tenancy Bill, the Irrigation Bill or the Money-lenders Bill, and so on.

I want to know what are the different bases on which allotments could be made. I want the Chief Minister to take this House into his confidence and clear up on what basis these new allotments have been made. Have they been made on the population basis?

The Hon'ble Mr. A. K. FAZLUL HUQ: May I point out to the Leader of the Opposition that the reservation of seats is seldom made on population basis? If that were done, the Muslims in this House would have been 54 per cent. of the total number of members of the Assembly. Instead of that they have been reduced to a minority of 48 per cent. But in this Bill we have not reduced the majority community, namely the Hindus, to a minority. We have given them sufficient scope to win very nearly the whole of the seats allotted to the General constituency and over and above that we are giving three to the Scheduled Castes and other seats also to the Hindus, so that the Hindu representation will be more than 50 per cent. of the whole House. It may be that the whole of the seats will not go to the Congress. A particular political party cannot demand a majority. What the Hindu community can demand is the representation of the Hindus and not of the Hindus representing any particular political opinion. As an instance, I may cite that although the Muslims form the majority population in Bengal, in this House they have been reduced to a minority by the Communal Award.

Mr. SPEAKER: I cannot allow any more discussion on this. Now the general discussion will take place. The amendments that have been moved, viz., that 84 be increased to 100, in other cases to 98, 96, 94, 90, 88, 87 and 85 are now open for discussion.

Mr. Khwaja SHAHABUDDIN: May I take it that my motion is now under discussion?

Mr. SPEAKER: Mr. Hem Chandra Naskar has moved your motion. The whole question is now open for discussion. All the amendments are under discussion and you can speak on anyone of them.

Mr. SURENDRA NATH BISWAS: If the general discussion is now open, I want to speak on my motion.

Dr. NALINAKSHA SANYAL: I submit that the amendment as a whole, as reported by the Select Committee, may first be permitted to be discussed without reference to any figures, because there are certain issues involved which require elucidation first of all.

(A VOICE: No change has been made by the Select Committee.)

No question of Select Committee. The amendment is there, and I submit it may be rejected or accepted as a whole without any reference to figures.

Mr. SPEAKER: As a matter of fact, that is my purpose. Not only these amendments but the clause itself are also under discussion.

Dr. NALINAKSHA SANYAL: Quite so. If anybody wants to speak generally, I think he can do so.

Mr. SPEAKER: I am giving perfect freedom to speak not only on this motion but on all the amendments.

Rai HARENDRA NATH CHAUDHURI: Having regard to the fact that you have declared the negative amendments out of order, may I submit that you should give those who want to speak sufficient scope?

Mr. SPEAKER: Certainly; anybody can speak.

Dr. NALINAKSHA SANYAL: First of all, I beg to submit that the whole clause has been ill-conceived and, therefore, I have the painful duty of opposing the clause as a whole as it has been drafted. For certain technical difficulties it has not been possible for us to submit an alternative scheme whereby the nomination system as a whole could be deleted, could be done away with. It has been demanded from every section of this House as well as outside that the anachronism of nomination should be completely done away with.

The principle that has got to be first disposed of and decided upon is whether this House, while discussing an important piece of amending legislation like this, should repeat the mistake of our predecessors in perpetuating Government nomination in the matter of public representation for the administration of a local body. It has been stated in the Statement of Objects and Reasons that the framers of this amendment had in view certain provisions of the Government of India Act. If that had been so, I fail to understand why those estimable gentlemen could not be inspired with the other salutary provisions of that Government of India Act by virtue of which nomination as a whole from the Provincial Legislature has been done away with.

(A VOICE: What about nomination on the all-India Congress Committee?)

My friend probably does not know the system of work in a democratic political party and is probably finding some embarrassing difficulties with regard to the Congress Working Committee nominations. I invite him to join the Congress, and he will soon understand the beautiful manner in which these nominations work out absolutely in line with democratic principles.

Mr. Speaker, Sir, after the question of nomination as such is disposed of, if this House finally comes to a decision as to whether we are going to retain nomination, and, if contrary to my submission, the House is disposed to think that for some time to come, nomination has to be retained, the question will arise as to whether this nomination, if retained, should be general or within certain specified limitations. It is quite conceivable that nomination has to be retained for permitting certain classes of people to be associated with the administration of this city—people who would not ordinarily like to enter into the squabbles of election or people who having some special interests might like to be safeguarded by some special arrangements for their representation. If the House is inclined to think that way, we might examine the provisions for retaining the number of nominated seats as well as the special interests or special reasons for such nominations for each of them, and we may probably arrive at something on the basis of a logical examination. I submit that, in the third place, if we come to the decision that certain limitations have got to be imposed upon nomination, then what those limitations should be have to be considered carefully—whether the limitations should be on the basis of any communal representation or representation of economic interests like labour or the employees of the Corporation, and so on. These are considerations that have got to be examined, and lastly comes the question of the number of nominations if they are at all retained. That will obviously depend upon the circumstances under which this evil of nomination is considered by this House to be an unavoidable evil for the time being. Sir, if you will permit me, I want to read

out a statement showing the population of different wards of this city. As it is an important piece of legislation, I submit that it is necessary for the House to consider actually the position in this respect on statistical evidence. I would, therefore, ask your indulgence to permit me to read out the statistical tables relating to the figures of population in different wards of Calcutta.

District No.	Ward No.	Population according to Census of 1931. All religions.	Hindus.	Muhammadans.
I ..	1	66,633	62,724	3,684
	2	38,294	37,318	905
	3	67,107	59,416	7,330
	4	54,101	44,081	9,418
	5	39,355	38,393	778
	6	46,116	41,022	4,861
	30	22,252	14,976	6,717
	31	19,194	15,292	3,725
	32	27,213	20,304	6,500
II ..	7	18,690	13,653	3,299
	8	48,988	17,092	28,232
	9	80,604	56,834	21,794
	10	21,075	10,231	6,313
	11	35,323	31,333	1,512
	12	6,711	4,112	816
	28	33,235	25,702	7,307
	29	42,399	25,151	17,152
III ..	13	30,975	12,565	13,631
	14	38,427	14,331	18,128
	15	14,052	4,597	5,481
	16	5,438	1,506	1,115
	17	2,679	854	612
	18	11,722	8,013	3,497
	19	44,224	26,395	13,682
	20	40,587	12,710	24,820
	21	30,999	13,767	14,418
IV ..	27	40,730	36,378	3,270
	22	79,684	70,697	4,446
Ward 23 ..		30,020 all religions.		
		22,373 Hindus.		
		6,053 Muhammadans.		
Ward 24 ..		32,822 all religions.		
		16,584 Hindus.		
		14,584 Muhammadans.		
Ward 25 ..		32,463 all religions.		
		22,280 Hindus.		
		8,871 Muhammadans.		
Ward 26 ..		55,872 all religions.		
		25,665 Hindus.		
		29,665 Muhammadans.		

Sir, I learn, on good authority, that so far as the population of Calcutta is concerned, the percentage of Hindus has been increasing for the last few years proportionately to the percentage of increase in the Muhammadan population. Now that the Muhammadan population has gone down, but of the two comparative increases the increase in Hindu population has been greater in the city of Calcutta. That being the position, the question of representation even at the very start, when we are thinking of nomination, has got to be examined in the light of the preponderating position of a certain community and certain particular sections of the population. If the nomination system is to be retained at all, which I submit, is an anachronism, then we must see that through such nomination Government may not introduce a system by which the absolute majority of a community in the administration of the affairs of the city may be endangered and there may not be at most a problematic majority only retained—by hardly one vote in a house of 93—which again is likely to be in danger, because there is nothing to prevent a non-Hindu getting elected in a General Constituency. General Constituency is not reserved merely for the Hindu community as such,—the Hindu community which has the largest population as well as the largest contribution should not be in any way penalised. I, therefore, submit that on the whole this clause has not been properly conceived. We could have understood, if instead of the nomination system, Government had come forward with a definite proposal to abolish nomination and increase the Muhammadan seats suitably and proportionately to the number of seats of the Hindu community. That would have been much more logical and understandable. I, therefore, submit that so long as that has not been done, this clause should be sent back to the authorities concerned for proper recasting.

The House was then adjourned for 15 minutes.

After adjournment.

Mr. SURENDRA NATH BISWAS: Mr. Speaker, Sir, in support of my motion to increase the number of elected Councillors from 77 to 100, I beg to submit that in fixing the proportion of seats for the different communities Government should have considered the principle of population basis. In all local bodies, Sir, the principle of population basis is recognised, where reservation of seats has been provided for, and weightage given to the minority.

Sir, we, the members of the Congress Party are agreeable to give weightage to the minorities living in the city of Calcutta; but in fixing the number of seats, I submit that the population basis should be the guiding principle first, and then the question of weightage should come in. Sir, where Government have wanted 22 seats for the Muhammadans when the Muhammadans form 25 per cent. of the

population, the remaining 75 per cent. ought to get 66, *i.e.*, if the Muhammadans get 22, the rest comprising 75 per cent. should get 66 seats. The total is 88. Added to these 88 the number of special seats, I mean the seats of the Europeans, which is 12, the total will come up to the figure 100. This is the analysis of 100 seats, for which I have moved my amendment.

Now, Sir, out of the 66 seats which should have been allotted for the 75 per cent of the population, we are agreeable to allot 2 seats to the Anglo-Indians who form 1·3 per cent. of the population only. We are also agreeable to set apart two seats for Labour as Government have proposed. Thus subtracting these four seats from the 66 seats due to the 75 per cent. of the population, 62 seats remain for the Hindus, and out of these 62 seats also, we are agreeable to give some seats as additional weightage to the Muhammadans and give them even 5 seats more, provided, of course, they agree to change their present outlook—I mean their communal outlook—for the national outlook, as Indians to guide the destiny of the Calcutta Corporation.

Sir, in the Statement of Objects and Reasons, it is stated that the change of joint electorate for separate electorate has been provided by Government owing to the fact that the Muslims are of the opinion that Muslim Councillors returned by joint electorates have very largely represented the wishes of the majority community and have not been truly representative of Muslim interests. That is the reason mentioned there for changing joint electorates for separate electorates. But in the Statement of Objects and Reasons I do not find any statement of reason that Muhammadans should be given more weightage. Why? Because there is no reason behind that. Although the Hindus form 75 per cent of the population, the number of seats allotted to them is already much less than what is due to them in proportion to the number of seats allotted to the Muslims. Yet, Government have shamelessly proposed to increase the latter number, while leaving the former untouched. Notwithstanding, Sir, we do not grudge giving a few more seats to the Muslims so long as the electorate is joint, and I think that in this I represent the Congress point of view. Had not Government asked for separate electorates and had they asked only for more seats for the Muslims, keeping intact the system of joint electorates, then the Congress party would not have objected to granting more seats as further weightage to the Muhammadan community.

Sir, the Hindu point of view is that seats should be given in proportion to their population and that the allocation of seats should be based on equity and justice. In reply to my leader's question whether Government have considered this principle, the Hon'ble the Chief Minister said that he had considered it but he could not give

due consideration to it, because he found that by the Communal Award the Muhammadans of Bengal were getting less seats in the Bengal Legislative Assembly than what they were entitled to on population basis. In saying that did the Hon'ble the Chief Minister consider the fact that the Hindus had also been getting a much lesser number of seats than what they were entitled to get out of 250 seats? The Hindus have protested against the Communal Award, but the Muhammadan community has not. So, the analogy does not stand.

Leaving aside the question of the Communal Award, Sir, in a local body like the Corporation of Calcutta, where all other classes of people have got more than due representation and which is the Corporation of the second city of the British Empire, the claim of the Hindus, who are largely responsible for the present advanced position of this city from the social, economic and political points of view, that they should be given fair representation in proportion to their population, cannot be said to be unreasonable. But their claim has been deliberately brushed aside. My amendment proposes to redress that wrong.

Now, Sir, I would appeal to the Hon'ble the Chief Minister and to the Hon'ble the Minister in charge of Local Bodies to consider another fact, that by bringing in separate electorates in the Corporation they have proved that Government is absolutely anti-Hindu and anti-Congress. We strongly resent this attitude of the Government. We expected that under the Provincial Autonomy the Ministry should in all matters adopt a national point of view and not a communal one. This point has been urged from this side from the very beginning of the working of the constitution. But our expectations have been belied. However, we take this opportunity, Sir, to urge this point again. What do my Muhammadan friends hope to gain by separate electorates? Do they think that by creating separate electorates and by getting three seats more, they will be able to form the majority? Certainly not. Knowing it to be an absurd proposition they are dreaming of having a majority with the help of the Europeans, the Anglo-Indians, the Labour members, and the nominated members. Now, Sir, if it is the guiding policy of the Government, that for their present purpose to crush the Hindu majority and the influence of the Congress in the Corporation, they should take the help of the Europeans and the Anglo-Indians, then I submit that they have chosen the wrong path. It will in no time prove that such policy is suicidal and is bound to fail. The Hindus and the Congress will know how to protect themselves. Then again, Sir, if I read aright the report of the Hon'ble the Chief Minister's speech which appeared in the "Azad", I found that he wanted to re-establish Muslim rule in Bengal, and I understood that he was very serious when he said that he was desirous of re-establishing Muslim rule in Bengal. But did

the Hon'ble the Chief Minister consider the fact that he could not establish Muslim rule in Bengal by antagonising the Hindus and co-operating with the Britishers? Certainly he did—if he was a practical politician. Only a fortnight or three weeks ago, he expressed his desire to establish Muslim rule in Bengal and asked the Muslim audience to awake, arise and try for the establishment of Muslim rule in Bengal. How is it consistent with that position, that he now wants to hand over the balance of power to the Britishers in running the affairs of the Calcutta Corporation? My personal view is that if my Muhammadan friends sincerely want to establish Muslim rule in Bengal, they will find that the Hindus, especially the Congress Hindus, will not be found wanting to help them (Cries of "Hear, hear" and "Oh", "Oh" from Coalition benches); but they have got to consider whether Muslim rule can be possibly re-established or a democratic rule is the only feasible rule which can be established in this country at the present time

However, Sir, my bone of contention is this that there should be one guiding principle in the matter of allocation of seats to the different communities. If Government proposes to allocate seats according to religion—

(At this stage the member having reached the time-limit, resumed his seat.)

Mr. SANTOSH KUMAR BASU: Mr. Speaker, Sir, we are thankful to the Hon'ble the Chief Minister for giving us an idea of the reasons which have inspired the Government to bring forward these new amendments to-day. I find on a close study of the implications of these amendments that although it is proposed to increase the number of general seats by one—from 46 to 47—it is also proposed, at the same time, to retain the other features of the Bill to which objection was taken by us in the Select Committee, although the number of nominated seats has been reduced by two. The result is that while the General Constituencies get one seat more than what was originally proposed in the Bill as introduced in this House and as discussed by the Select Committee, namely, from 46 to 47, the seats which have been allotted to the other special constituencies number altogether 46, thereby giving a bare majority of one to the General Constituencies of Calcutta. I find that while at present the Muslim population of Calcutta enjoy 19 seats in the Corporation, as at present constituted, and the European Trade and Commerce and the Port Trust enjoy 12 seats and the number of nominated seats is altogether 10, the total number coming up to 41, the Bill proposes to raise the number of special seats to 46, while raising the number of general seats to 47. You will find, Sir, that the total number proposed in these amendments

would be these 22 Muslim seats; 12 Trade and Commerce and Port Trust; 2 Anglo-Indians; 2 for Labour; and 8 for nomination. That brings the total number of such seats up to 46, while the General Constituencies will enjoy 47 seats; in other words, while you are giving an increase of 3 seats to the special interests from what they enjoy to-day, you are giving an increase of one seat only to the General Constituencies from what they enjoy now: that is the position. Although it shows that there is an increase of one and a bare majority of one is given to the General Constituencies, it fails to take note of the actual situation to-day in the Calcutta Corporation where we find that out of the 46 general seats, three seats go to the representatives of a community, I mean the European community, who already enjoy about 12 other seats by way of representation of their special interests. In the three wards in Chowringhee, Nos. 15, 16, and 17, three members have been systematically and consistently returned in the past who have been, more or less, nominees of the European Association, the reason being that in those wards, the number of electors who belong to the European Constituencies, far exceed the number of non-European voters. I am not making any grievance that the electors who form the majority in those wards are in a position to send their own representatives to the Corporation—that is only right, that is only proper in a democratic constitution; but while allocating the number of general seats, you have got to take that into consideration and clearly remember that while you are going to give to the General Constituencies 47 seats, thereby meaning that the Hindu interests in Calcutta are being safeguarded by as many as 47 seats, you will be pleased to remember that out of these 47 seats, as many as 3 have gone in the past to non-Hindu members and are likely to go in future to such communities. It may be that in ward 15, with the separation of the Anglo-Indian voters, that constituency might become available to a Hindu candidate—of that, I am not quite sure yet. These matters require close scrutiny in the seclusion of a Select Committee, but unfortunately these questions were never raised by Government in the Select Committee where they showed an implacable attitude so far as the allocation of seats was concerned. And now at the last moment without giving the House any opportunity of scrutinising the number of voters and the population in the respective wards, they have come forward with certain proposals with regard to certain wards the implications of which with regard to the general body of members and the implications of which with regard to other wards, it is not possible for us to investigate at the present moment. That is the position. The Hon'ble the Chief Minister has made a statement in this House that so far as the number is concerned, the Hindus will get as many as 47 seats. I have shown you with regard to the actualities of the situation that that statement is absolutely incorrect. I may remind the House that this was precisely the state of affairs in 1899 when the Mackenzie Bill was introduced in Calcutta.

In the year 1899, a Municipal Bill for Calcutta was introduced by Sir Alexander Mackenzie, who was then the Lieutenant-Governor of Bengal, by which the number of elected seats became equal to the number of seats for special interests and the nominated members. Out of 50 seats, 25 represented elected seats and 25 other seats went to the special interests and to nominated members. It was as a protest against such an allocation of seats, that as many as 27 members of the then Corporation resigned their membership of the Corporation. Surendra Nath Banerjee, Deba Prasad Sarbadhikary, Ram Taran Banerjee are names which can be remembered even to-day as leaders of the civic life of Calcutta. They resigned their positions in the Calcutta Corporation by way of protest against that ill-conceived measure. Now, Sir, what is the position to-day? The proposal that has been brought forward by Mr. Shahabuddin is that in General seats we get 47 as against 46 seats given to the other interests in the city. Therefore, we get a majority of one or a majority of two. Even if it were true, which unfortunately it is not, is that a proportion which this House ought to accept as sound or reasonable, as fair or equitable, to the General Constituencies? I might remind the House once again at this stage that to-day the Muslim population in Calcutta enjoy 19 seats in the Corporation. You propose to raise that figure from 19 to 22. Out of 84 elected seats, on the basis of 25 per cent of the population, they are getting 21 seats and one more seat by way of weightage. I concede that privilege to the Muslim members. At the same time, if you give 22 seats to a 25 per cent of the population, why not give the corresponding number of seats to the other residue of the population who form 73·4 per cent. of the population of Calcutta barring Anglo-Indians? If you go upon that basis, it is incumbent upon you, in fairness and in equity, to give the rest of the population at least 62 seats out of 84 elected seats. If that had been conceded in this Bill, of course, there would hardly have been any grievance with regard to the allocation of seats. We heard that at least four seats would be added to the General Constituencies but to-day we are faced with this proposition that instead of four seats only one more seat would be conceded —

The Hon'ble Mr. H. S. SUHRAWARDY: And two subtracted.

Mr. SANTOSH KUMAR BASU: That is from the nominated seats, from the close preserve of Government. That is not the General Constituency, that is not the Muhammadan Constituency, but that is the sycophant's constituency. If you take away two seats out of the sycophant's constituency, that does not help either the Muhammadans or the Hindus, but only reduces the chances of self-seekers and sycophants. There is, therefore, hardly any concession given to any portion of the community in Calcutta. I say, Sir, that this last move

on the part of the Government of increasing 46 to 47 is a mere eye-wash, a mere make-believe, and nobody will be deceived by this crumb from the Ministerial table. So far as Calcutta is concerned, so far as the vast body of rate-payers in Calcutta is concerned, they will refuse to accept this crumb thrown at them. They will keep up their attitude with regard to this Bill. This make-believe concession of one seat will fail to carry any conviction in the minds of the Hindu population or the general population in Calcutta. It may be a face-saving device for some people but that will certainly not satisfy the demand so universally expressed by the great body of the general population of Calcutta, who have been treated most unfairly, and unreasonably in this ill-conceived measure. I, therefore, submit that this device of nomination should altogether be abolished. It is an anachronism. It probably served its purpose in pre-historic Calcutta when suitable persons refused to come forward to stand for election. But those days are gone. You have reduced the franchise to a minimum; you have abolished plural voting; you have admitted into the polling booths a great body of the people of the city. It is, therefore, necessary that this nomination should go and no longer be the order of the day. If you want to perpetuate nomination, you only want to keep patronage in your hands just to bestow it upon those whose services you otherwise require. That is the only reason why you propose to continue nomination.

There is another reason. If you are making provision for labour by election, if you are making provision for scheduled castes members in the General Constituency by reservation of seats, why again are you keeping this anachronism alive in the shape of nomination? If you would care to look to the section of the Act which provides for nomination, you will find that the object of nomination as laid down there is to secure association in the work of the Calcutta Corporation of members belonging to backward classes, of labour and of other minority communities. It is mainly for that reason that this provision for nomination was made in the Act. You are now providing two seats by election for labour. You are also providing three seats in the General Constituency for the scheduled castes. You might have increased the number of those seats by increasing the number of the general body of councillors, but you have chosen to depart from that principle. You are rendering only lip-service to that principle by keeping three seats reserved for the scheduled castes in the General Constituency; at the same time you propose to earmark four seats in the nominated list for the scheduled castes members. Is it not frankly, admittedly and shamelessly an attempt to earmark seats for those very persons who cannot face an electorate to-day or in future? Is it not an attempt—a bare-faced attempt—to help some people to get into the Corporation by the back door of nomination who want to avoid the rough and tumble

of election? It is for these people that this back door method is sought to be perpetuated. Are we going to make legislation for persons and individuals, keeping in view that these persons have got to be provided with seats—persons who cannot get through the open door of election through which you and I and everybody else here have come? Are we to make provision for the people who have not got either the capacity or the courage nor any record of public service to face elections in the city of Calcutta? It is for these people that this principle of nomination is being sought to be perpetuated by bifurcation of the scheduled castes seats into two compartments. I would ask every member here irrespective of party complexion, I would appeal to the Chief Minister once more to ban this principle of nomination from the Corporation of Calcutta. It is a principle which is no principle at all. It is a mean method of securing position and power in public life for those who are not deserving of that position and power. I ask and appeal to every one to set his face definitely and resolutely against the perpetuation of this system. The Government of India Act has given the go-by to this pernicious principle. Why should we be taking the name of the Government of India Act in the objects and reasons of this Bill and yet perpetuate a system which the framers of that Act in their wisdom have banned for all time to come. I would ask this House to rise to the height of the occasion and to adopt that principle and that principle alone to which we all as members of this House have to subscribe, namely, election as the only method of recruitment for the members of a democratic body.

Babu KSHETRA NATH SINGHA: Mr. Speaker, Sir, I rise on a point of information. Shall I be allowed to speak on behalf of the Scheduled Castes members of this House on this vital point, when our rights are being bartered away some how or other?

Mr. SPEAKER: Yes; certainly.

Mr. ATUL KRISHNA GHOSE: Mr. Speaker, Sir, I would like to put one question only and if the Hon'ble the Chief Minister be pleased to give reply to it, I shall be quite satisfied.

The Hon'ble the Chief Minister stated in his statement that according to the Communal Award the Muhammadan community in Bengal have not received the proportionate number of seats in the Bengal Legislative Assembly as they ought to have received. Taking it for granted, if we calculate that the total Muhammadan population in Bengal is 54 per cent. (I believe it is 53 but I take it as 54), even then the number of seats, I mean 119, that they have received according to the Communal Award represents 47 per cent. According to the population basis that number might have been raised to 135 purely

from mathematical calculation, whereas they have received 119. So when their population is 54 per cent. they are receiving representation to the extent of 47 per cent. May I ask the Hon'ble the Chief Minister whether he is ready to maintain the same proportion in the Calcutta Corporation deducting the very same percentage which has been deducted according to the Communal Award?

On that calculation, Sir, I come to this. If 93 is the total number of seats in the Calcutta Corporation and if 75 per cent. is the basis of the population of Hindus, then the Hindus ought to get 69 seats. Now according to the Communal Award if we go back to the very same ratio and the same ratio is reduced from 69, it comes to 7 and the total figure stands at 62; but the general constituencies are being represented by 47. Will the Hon'ble Minister explain this anomaly? Will he explain on what basis this figure has been arrived at? Is it an award which I should like to say Huq Cabinet Award? Is it on the basis of population? Is it on the basis of religion or on what basis? Now, Sir, if according to the Communal Award basis these 69 seats have to be reduced, then the number should be 62. But this reduction to 47 is unjust and unfair without any reason, without any argument whatsoever. I am quite ready to have a statement from the Hon'ble the Chief Minister who has only a few minutes back explained to the House that they have not reserved seats according to the basis of population. Will the Hon'ble Minister respond to that ratio, to that basis of Communal Award and proceed accordingly? This is the only question that I have to ask the Hon'ble the Chief Minister.

Mr. SYED JALALUDDIN HASHEMY: Mr. Speaker, Sir, much has been said with regard to the allocation of general seats,—seats given to Scheduled Castes, Labour and Anglo-Indians. Sir, I have got nothing to say and I will pass no opinion with regard to the speeches made by different speakers. Sir, I would only deal with the question of Muslim interests in the Corporation. In the Statement of Objects and Reasons, though it contains a lot of mis-statements, the Hon'ble the Minister in charge of the Bill has stated that the Bill aims at safeguarding Muslim interests in the City of Calcutta and in the Corporation. Sir, let me analyse the real benefit, the sum total of the benefit, which the Muslims are getting by this Bill. Sir, in a House of 92 *minus* 5, i.e., in a House of 87 in the Original Act the Muslims had 19 seats. In the proposed Bill in a House of 98 *minus* 5, I mean 93, the Muslims are getting 22 seats. May I ask without giving my version the Hon'ble the Minister in charge of the Bill what is the population of Mussalmans in the City of Calcutta? Is it 25 per cent. of the population or more or less? If it is 25 per cent., obviously the Muslim interests with regard to seats are not safeguarded. If it is more than 25 per cent., it is certain that Muslim interests are not safeguarded.

Sir, all that we find is that separate electorate is introduced for the Muslims to safeguard Muslim interests in the Corporation of Calcutta. May I ask the Hon'ble the Minister in charge of the Bill how can he safeguard the interests of Mussalmans, if he is at all serious in safeguarding the interests of Mussalmans, with 22 seats in a House of 98? Does he or does he not know the recent happenings in the Corporation of Calcutta? My friends of the general constituencies need not be afraid of their seats. Anglo-Indian seats, I may say, will go with the Congress as has been witnessed in the last Mayoral election. I may also say that the Europeans will go with the Congress as has been witnessed in the last Mayoral and Deputy Mayoral elections and I am sure good sense will prevail among both Anglo-Indians and Europeans to go over to that side. In that case, how are they going to safeguard the Muslim interests in the Corporation of Calcutta? Sir, the Hon'ble the Minister in charge of the Bill has said that he has got consistent demand from the Muslim population to have separate electorate. Sir, I suggested in one of my amendments that instead of giving 10 seats for nomination, if there are to be any seats allocated for nomination they should be for experts. I suggested that we could have one expert in water analysis, one expert in drainage, one expert in general public health and so on. That is a matter which one can easily understand but now, Sir, they suggest that they are going to nominate 8 seats and the Hon'ble the Chief Minister has said in his statement that he has followed the analogy of the Government of India Act with regard to a certain particular, I mean the electoral provisions, etc.; but if he is so very sincere in following the Government of India Act of 1935, may I ask why he is not equally sincere with regard to the question of abolition of nomination as has been done in the Government of India Act? That he is not going to do. He is going to reserve for nomination 8 seats of which he is giving some seats to the Scheduled Castes people. He has not got the courage to have some seats reserved for the Muslim community. Sir, I will show presently that he has not got the courage even to give one seat to the Muslim Chamber of Commerce which has been given by the Government of India Act. He has not got that courage and he says he is going to safeguard the Muslim interests in the Corporation. It is a direct lie to suggest that. He has said here that they are the sole agents of Muslim interests. They are going to do positive injury to Muslim interests. Outside Mussalmans have got their commonsense. They fully realise that it is a bogus Bill not to safeguard Muslim interests but to safeguard Anglo-Indian interests, individual interests and some members' interest. What is the Muslim interest in a civic matter? Where we talk of drainage, where we talk of light and where we talk of water, what is the Muslim interest? (A VOICE: What about services?). Sir, may I ask the Hon'ble Minister to rise up here and now and say honestly by comparing the figures just now given what interests he will specially serve in respect

of Muslim community? Do I not know that the proceedings of the Calcutta Corporation are in the records of the Department of Local Self-Government? I know the Hon'ble Maulvi A. K. Fazlul Huq had been the Mayor of the Calcutta Corporation. I know that the Hon'ble Mr. H. S. Suhrawardy had been the Deputy Mayor of Calcutta Corporation on one occasion on Congress ticket and there are other members in this House who have been in the Calcutta Corporation. But when I go through the past proceedings of the Corporation I find a blank note—blank pages in the proceedings. They did not do anything. They did not even contemplate to do anything, to safeguard the interests of the Muslim community and now they come forward and say that with 22 seats in a House of 98 they will safeguard Muslim interests. It is an anomaly to suggest that they will be able to safeguard Muslim interests in alliance with Europeans, Chamber of Commerce and Trades Associations and other bodies. It is absolutely absurd. Their experience might have told them that this was not to be. Years have rolled on and we have found to our surprise that the Europeans, Anglo-Indians and others representing the Calcutta Corporation have all alike and in a body been trying to do their civic duties in the best interests of the city and they will have to follow that. Let Government introduce separate electorate in local bodies. In this House, every section, even the Coalition party, made an attempt to abolish the system of nomination in union boards, local boards and district boards in Bengal, but they have not yet been able to do that.

What will be the result of this Bill, if passed into law? The repercussions and reaction of this Bill will result in a tension of feeling in mufassil between the Hindus and Muslims with regard to union boards, local boards and Bengal municipalities. There is no earthly reason to amend the Bill in the fashion Government are contemplating to do. They have been compelled to withdraw the suggestion they formerly made in the original Bill. They could not divide the Hindu community as they contemplated to do. They have not been able to convert the majority community into a minority community. I for one shall not agree to the suggestion made by the members to my right. I shall not agree that the majority community will be a perpetual minority in the House. In a house of 93 seats, 47 general seats are given. Certainly these 47 will carry 5 aldermen, and they will carry the majority with them. The 22 Muhammadans will not be able to do any harm to the majority community.

In conclusion, I would ask the Hon'ble Minister in charge of the Bill——

Dr. NALINAKSHA SANYAL: On a point of order, Sir. It is only in relation to his continuance that I am submitting this point of order, that he may get more time to speak. I would like to draw your attention to clauses 12 and 14——

Mr. SPEAKER: I know about them. I hope, Dr. Sanyal, you will realise that I have to give opportunities to so many small sections of the House that I have been following this course consistently with your consent and with the consent of the party leaders. I admit that the Opposition should be given as much time as possible. You were given 15 minutes, Mr. Santosh Kumar Basu 22 minutes; but I hope you will allow me to adjust the time with the consent of the party leaders.

Dr. NALINAKSHA SANYAL: In Parliamentary convention, particularly relating to Bills, the term "limitation of time" is always very liberally construed, and as a result thereof whole night sittings might have been held. Even in the Central Legislature there is no time-limit for Bills——

Mr. SPEAKER: Dr. Sanyal, do you know that in the House of Commons there is a thing like Kangaroo closure?

Mr. SYED JALALUDDIN HASHEMY: In concluding my observations, I say that I am prepared to vote with the Hon'ble Minister in charge of the Bill if he can convince me with mathematical precision that he has been able to do some benefit to the Muslim community by introducing this Bill. If he can do that, I shall be walking in the same lobby with him. But if he fails to prove that it has been able to do anything for the Muslim community, I would request him to drop this Bill for the present and to bring forward another Bill at a later date for the benefit of the Muslim community.

Mr. DHIRENDRA NATH DATTA: Mr. Speaker, Sir, this is a communal Bill, and it is useless to expect anything out of it, especially on account of the atmosphere that has been created by the communal preachings in the Press and by speeches, particularly of the Hon'ble the Chief Minister. In this 20th century, Sir, the preparation of electorate on considerations of religion is, I think, an anachronism. We must always feel that we are Indians first, Hindus and Muslims next. Politically I feel that I am not a Hindu, but I am an Indian although I am a Hindu in my own home. The consideration of religion should have nothing to do with civic administration, just as it has nothing to do with politics and with the preparation of the electorates. If there is a joint electorate with, having regard to the present position of the country, reservation of certain seats for certain communities, then there would be no difficulty in giving weightage to such communities. But that joint electorate is not to be.

If there be a separate electorate, we shall have to consider the distribution of seats. But before coming to the question of distribution of seats, I must say that the atmosphere of Bengal has already been

poisoned by communalism through preachings in the *Azad* which has been subsidized by Government for that purpose and its practical application is the framing of this Bill.

Coming now to the distribution of seats, I submit that I have given notice of two amendments in that connection. In my amendment No. 21, I have suggested that for the figure 77, now 78, the figure 98 shall be substituted. I have also given notice of another amendment, namely, amendment No. 51, and I have suggested therein that for the figure 84, the figure 87 be substituted. Sir, it is an admitted fact that if the total number of elected seats including the Territorial, Commerce and Labour seats is taken into consideration, as has been suggested by Government, out of 84 seats—now it will be 85—the Muhammadan constituencies are entitled on the population basis to 21 seats, whereas in the Bill they have been given 22 seats. Even then the non-Muhammadan General constituencies excluding the Anglo-Indian and other constituencies are entitled on the population basis to 62 seats, whereas they have been given 46 seats, that is, 16 seats less. I have suggested 60 seats to Hindus, 22 to Muhammadans, 2 reserved for Anglo-Indians, 12 non-territorial seats and 2 for Labour. This will come to 98.

With regard to my amendment No. 51, if we consider the total number of territorial seats, you will find that out of 22 seats, which are proposed to be given to Muhammadan constituencies, although on the population basis they are not entitled to more than 18 seats, the non-Muhammadan General constituencies have been given 47 seats, although they are entitled to 51. I have suggested, however, that General constituencies should be given 51 seats, Muhammadan 20, Anglo-Indian 2, non-territorial 12 and Labour 2 and this comes to a total of 87 seats. But, Sir, it is no use inflicting a speech on this line on a House like this and especially on a communal matter like the present Bill. It is useless to expect fairplay and justice here. They are determined to have this Bill passed by means of their sheer number. Communalism is their watchword. (MR. MD. AFZAL: Communalism prevails in the Congress.) I contradict it and say that the Congress has got nothing to do with communalism. No, it is not a communal organisation.

Mr. SPEAKER: (Addressing Mr. Md. Afzal) now, you realise the effect of your interruption!

Mr. DHIRENDRA NATH DATTA: The Congress is not a communal organisation. There are many communal organisations scattered all over India, but the Congress, I submit, cannot be called a communal organisation. It is impossible to get fair-play and justice from communal organisations. Sir, I submit that this piece of legislation is purely communal in outlook, which will certainly disfigure the statute-book.

Mr. SPEAKER: Now I propose to call upon Mr. Hem Chandra Naskar to speak. After he finishes I shall call upon the Nawab Bahadur of Dacca to reply.

Mr. HEM CHANDRA NASKER: Mr. Speaker, Sir, in support of my motion I beg to state that the seats reserved for the different communities are most unreasonable and most unjustifiable.

From the figures supplied by the Government in the Select Committee, it appears that the Muslims form 25 per cent. and the remaining non-Muhammadan community is 73·6 per cent. of the total population. The proposed number of elected seats in the Bill is 84, out of which 22 is proposed to be given to the Muslims, although on a population basis they are not entitled to get more than 21 seats. The non-Muslim community is entitled to 62 seats; but they have been given only 46 seats. Thus, in one case there is one seat more but in the other it is 16 seats less. The Scheduled Castes, according to the proposed allotment, will have only 7 seats, but according to the population basis they are entitled to 10 seats.

Now, let us come to the question of weightage. The revenue paid to the Corporation by the Muhammadans is 5 per cent., by Anglo-Indians, Jews and Europeans 12·4, and by Hindus 82·5. The voters are: non-Muhammadans 69,424 and Muhammadans 8,389. These figures are correct up to the year 1936.

The number of seats may very well be increased, but if it is found that the number of seats would depend on the number of people belonging to a particular community, they could not increase the seats in regard to one community only without correspondingly increasing the seats for other communities. Undue weightage has been given to one particular community, viz., Muslims. Seats allotted to the Muslim community are clearly in excess of the ratio of population of that community, whose contribution in the form of rates and taxes amounts to only 5 per cent. of the gross revenue of the Calcutta Corporation.

The system of nomination is against the fundamental principle of democracy. If the system of nomination is meant to be kept intact, then why it should be done at the expense of one community only. So, it would be more reasonable to increase the total number of seats up to 100 for the purpose, after allotting to the different communities their reasonable seats according to population basis.

The increased seats are to be allotted according to my amended schedule, which matter I have dealt in another amendment of mine, viz., No. 241.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, we have heard so much from our friends on the opposite side when they said——

Mr. MONMOHAN DAS: On a point of order, Sir. We are vitally concerned with this amendment——

Maulvi ABDUL BARI: Is it a point of order or is it a point of disorder?

Mr. SPEAKER: Your Leader has already spoken, so there is no point of order.

Mr. MONMOHAN DAS: May I, Sir, speak a few words?

Mr. SPEAKER: Not now, let the Nawab Bahadur finish first. I expect that there will be greater discipline in the different parties. When the Leader of a party has spoken, I hope there will not be any interruptions of this nature; otherwise I shall be in the unfortunate position in which there will be certain matters of which this side of the House (pointing to the Coalition side) might want to take advantage, and I want to avoid that.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, as I was saying, we have heard so much from the other side that we are communal—in the way in which we have presented this Bill. I wish to show that as in the Communal Award we have been put into the position of a perpetual minority in the Bengal Legislative Assembly, so here also we could have in the same way put the Hindu community into a perpetual minority in the Corporation, but we have not done that, and I shall show to the House how it has not been done. (Dr. SURESH CHANDRA BANERJEE: Is it the motion——)

Mr. SPEAKER: Order, order. You must not interrupt the Hon'ble Minister in this fashion.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, my honourable friend Mr. Santosh Kumar Basu has stated that in the present Corporation there are 19 Muslim seats, 12 special seats, and 10 nominated seats, thus making a total of 41, and the general seats are 46. Therefore, according to his mathematical abilities, he has shown that the General constituencies have more seats than the other constituencies taken together and that the general seats constituted a majority by five. In the same breath he has said that three of these seats go to the Anglo-Indians or to the Jews or whatever other community it might be. Accordingly, if you take away three seats that makes forty-six *minus* three equal to forty-three—so they are in a minority already. (Rai HARENDRA NATH CHAUDHURI: Excellent!) (Mr. JOGESH CHANDRA GUPTA: Forty-three is less than 41, that is your arithmetic!) (Laughter.)

Sir, according to our formula we have given 47 seats to the general constituencies. From these if you take away 2 seats, the general constituencies have 45, *add* 2 Labour seats, 47 and 1 for Port Commissioners, 48, while the others have 43. Therefore, we have put them in an absolute majority. Moreover, there will be 5 Aldermen. So, how can it be said that we have reduced the majority into a minority?

Sir, as regards the second question, which relates to nomination, I have already stated in this House before that Government are going into this question of nomination and are seriously considering whether they will continue nomination or not. (Rai HARENDRA NATH CHAUDHURI: Why not come to a decision now?) Until Government have decided that nomination should be given up, we have followed the principle of nomination with this exception that we have reduced the number of nominated seats from 10 to 8. That is a beginning. (Rai HARENDRA NATH CHAUDHURI: But Bombay has altogether eliminated it!)

Mr. SPEAKER: Mr. Chaudhuri, I think you were not present in the House when I asked your party not to interrupt the Hon'ble Minister while he was speaking.

Rai HARENDRA NATH CHAUDHURI: Sir, I was only pointing out that the Bombay Corporation has altogether eliminated the system of nomination.

Mr. SPEAKER: There is hardly an argument which cannot be challenged either by the Left or by the Right, but method requires that when a debate is going on there should be as little interruption as possible.

A voice from the Coalition Benches: Enamoured of Bombay!

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, my honourable friend Mr. Jalaluddin Hashemy poses to be the champion of the Muhammadan community. He maintains that I have not given the Muslims proper representation, but I contend that I have given to the Muslims, who form only 24·7 per cent. of the population of this city, the exact number of seats that they are entitled to, and while giving them these seats I maintain that I have not taken any seat from the majority community. (Babu NARENDRA NARAYAN CHAKRABARTY: Just the reverse!) The general principle is that you cannot take away a seat from one minority and give it to another minority. So far as the Muslims are concerned, they have not been given any weightage from the majority community. Those who have been given weightage are the Anglo-Indians, Labour, and other special

constituencies. Special representation has been given to Labour in view of its special position. In the same way as Anglo-Indians are a very influential body, it is necessary that they should have weightage. In the case of the special constituencies also weightage is required in the city of Calcutta as they pay heavy rates and taxes. Therefore, Sir, this weightage has been given from the Hindu majority to those minorities, but the Muslims have received no weightage from the Hindu majority.

In these circumstances, Sir, while accepting the amendment of Mr. Hem Chandra Nasker, I oppose all the other amendments.

Mr. ATUL KRISHNA GHOSE: On a point of privilege, Sir. I would request the Hon'ble the Chief Minister to give a reply to my statement which I made——

Mr. SPEAKER: That is not a point of privilege. In any case, I cannot help it.

I must now put the question.

The motion of Mr. Surendra Nath Biswas that in clause 3 (*1*), line 2, for the word "eighty-four" the words "one hundred" be substituted, was then put and a division called with the following result:—

AYES—60.

Banerji, Mr. P.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Promhari.
Barma, Mr. Puspajit.
Barman, Babu Shyama Prosad.
Barman, Babu Upendra Nath.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Dr. J. M.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Deloi, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Ghose, Mr. Atul Krishna.
Gupta, Mr. Jogesh Chandra.
Jalan, Mr. I. D.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishita Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Homaprova.
Mal, Mr. Iswar Chandra.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Krishna Prasad.
Mookerjee, Dr. Syamaprasad.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. S.
Mukherji, Dr. H. C.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasker, Mr. Hem Chandra.
Pain, Mr. Barada Prosanna.
Paul, Sir Hari Sanker.
Pramanik, Mr. Tarinicharan.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamakshaa.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanker Sekhar.
Set, Babu Nagendra Nath.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Thakur, Mr. Pramatha Ranjan.

NOES—116.

Abdel Aziz, Maulana Md.
Abdel Bari, Maulvi.
Abdel Hafiz, Mr. Mirza.
Abdel Hakeem, Mr.
Abdel Hakim, Maulvi.
Abdel Hakim Vikramponi, Maulvi Md.
Abdel Hamid, Mr. A. M.
Abdel Jabbar, Maulvi.
Abdel Karim, Mr.
Abdel Latif Biswas, Maulvi.
Abdel Majid, Mr. Syed.
Abdel Wahab Khan, Mr.
Abdella-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rashid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Saheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hosain Ahmed, Mr.
Abul Quasem, Maulvi.
Aftab Ali, Mr.
Aftab Hosain Joardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Ashrafali, Mr. M.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Birkmyre, Sir Henry, Birt.
Blomenstock, Mr. L. M.
Brown, Mr. A. C.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirti Bhusan.
Dass, Babu Debendra Nath.
Farhad Raza Chowdhury, Mr. M.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman (Mymensingh), Mr.
Gomes, Mr. S. A.
Griffiths, Mr. C.
Gurung, Mr. Damber Singh.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi
Hawkings, Mr. R. J.
Hendry, Mr. David.
Hirtzel, Mr. H. A. F.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Karam Ali Mirza, Sahibzada Kawas Jah Syed.
MacGregor, Mr. C. G.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jagat Chandra.
Maringin, Mr. F. J.
Miles, Mr. C. W.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Ismail, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Soleiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Noeruddin, Mr. K.
Norton, Mr. H. R.
Raikut, the Hon'ble Mr. Prasanna Deb.
Razaur Rahman Khan, Mr.
Ross, Mr. J. B.
Roy, the Hon'ble Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Salim, Mr. S. A
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sasseen, Mr. R. M.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Shamsuddin Ahmed Khondkar, Mr.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Warren, Mr. P. F. S.
Wordsworth, Mr. W. C.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 60 and the Noes 116 the motion was lost.

The motion of Mr. Dhirendra Nath Datta that for clause 3, the following be substituted:—In section 5 of the said Act (*1*) in clause (*a*) for the word "seventy-seven" the word "ninety-eight" be substituted was then put and lost.

The motion of Mr. Santosh Kumar Basu that in clause 3 (*1*), line 2, for the word "eighty-four" the word "ninety-six" be substituted was then put and lost.

The motion of Mr. Santosh Kumar Basu that in clause 3 (*1*), line 2, for the word "eighty-four" the word "ninety-four" be substituted was then put and lost.

The motion of Mr. Hem Chandra Nasker that in clause 3 (*1*), line 2, for the word "eighty-four" the word "ninety" be substituted, was then put and lost.

The motion of Mr. Puspajit Barma that in clause 3 (*1*), line 2, for the word "eighty-four" the word "eighty-eight" be substituted was then put and lost.

The motion of Mr. Puspajit Barma that in clause 3 (*1*), line 2, for the word "eighty-four" the word "eighty-eight" be substituted was then put and lost.

Mr. SPEAKER: Then remains the question of eighty-five.

Mr. SANTOSH KUMAR BASU: May I just ask you not to put that to vote to-day? Probably all sections of the House have not yet made up their minds as yet.

Mr. SPEAKER: I am not prepared to allow any discussion.

Mr. Khwaja SHAHABUDDIN: May I submit that these amendments have been put after negotiations with the members of different sections of this House, and the people outside? I do not think any purpose will be served by further discussion. I respectfully submit that it will be of no use to postpone the voting on the amendments.

Mr. SARAT CHANDRA BOSE: Does Mr. Shahabuddin suggest that he had any discussion with the Opposition?

Mr. SPEAKER: As a matter of fact, Mr. Shahabuddin, when the Opposition agrees not to carry on discussion on this point any more, is it not better that in a contentious matter like this I should accommodate them a little, so that the facility for the discussion of other clauses might be much more easy.

Mr. Khwaja SHAHABUDDIN: From Parliamentary practice you would realise that division is a most important factor and it is always the opportune moment when the division is agreed upon and taken. I do not know for what purpose this move has been made by the members of the Opposition to put off the division till to-morrow.

Mr. SPEAKER: Supposing the Opposition wants to place before me that they want to carry on certain discussions on the point of principle——

Mr. SANTOSH KUMAR BASU: May I submit that Mr. Shahabuddin is entirely wrong when he says that such a division is in our mind when I put forward this proposal. It is nothing like that. I can assure him that it is not a question of division that we are thinking of.

Mr. Khwaja SHAHABUDDIN: If they wanted to put off any division, they ought to have approached the whips of the different parties and if they wanted to hold any discussion they ought to have approached the Chief Minister.

Mr. SANTOSH KUMAR BASU: May I remind you that this is the last moment amendment which he has put forward. There is no question of discussion on this point.

Mr. SPEAKER: Mr. Shahabuddin, I have heard your point of view. I believe that in the passage of a very contentious matter like this, a little accommodation without interfering in any way with the proceedings is desirable. Mr. Shahabuddin, after this Bill is over, you will realise that I am interested more for the facility of the passage of a Bill than anyone else. In view of this, I propose to take up this motion to-morrow.

Adjournment.

The House was then adjourned till 4-45 p m. on Tuesday, the 2nd May, 1939, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 2nd May, 1939, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 11 Hon'ble Ministers and 217 members.

STARRED QUESTIONS

(to which oral answers were given)

Waterways Act, 1934.

*397. **Mr. PATIRAM ROY:** (*a*) Is the Hon'ble Minister in charge of the Communications and Works Department aware that a "Waterways Bill" was passed into an Act in 1934 to improve the Waterways in Bengal for the purpose of navigation?

(*b*) Will the Hon'ble Minister be pleased to state what steps, if any, have been taken in pursuance of the provisions of the Act since its enactment?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state the reasons therefor?

(*d*) Does the Hon'ble Minister consider the necessity of taking steps in accordance with the provisions of the above Act for the improvement of any important dying river in Bengal?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Srischandra Nandy, of Cossimbazar): (*a*) Yes.

(*b*) The Act has not yet been brought into force.

(*c*) and (*d*) When the measure was being considered by the Legislature assurances were given that the Act would not be brought into operation until the economic depression had passed and commercial interests had been consulted. This consultation took place in July, 1937, and since then various aspects of the matter have been under the consideration of Government.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state how much more time the Government would require to give effect to this Act?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, Government will come to a decision immediately after the session of the Assembly is over.

Mr. SYED JALALUDDIN HASHEMY: In view of the reply given to (*c*) and (*d*), will the Hon'ble Minister be pleased to tell us whether he is in a position to expedite the matter and thus give effect to the Act?

Mr. SPEAKER: He has already answered that question.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to tell us the result of the consultation that took place in the year 1937?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I believe that the majority of the members of the Conference were in favour of its promulgation.

Srijut NARENDRA NATH DAS GUPTA: In view of the fact that both the Bengal Government and the Central Government have got sufficient funds, will the Hon'ble Minister be pleased to state why the Government have not taken any action on this point?

Mr. SPEAKER: You first ask whether the Bengal Government have got a surplus of funds.

Maulvi ABDUL WAHAB KHAN: Will the Hon'ble Minister, before bringing the law into operation, consider the desirability of bringing in legislation to reduce the salary of the Chairman of the Waterways Board?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I think the honourable member can do it himself.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state whether the Government intend to utilise the money that has been provided for in this year's budget for the Waterways Board?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: If the Board comes into operation, it will be in a position to utilise a portion of the money.

Mr. ANUKUL CHANDRA DAS: Will the Hon'ble Minister be pleased to bring the Act into operation with regard to the excavation of the Bidyadhari river?

Mr. SPEAKER: That question does not arise.

Maulvi ABDUL BARI: Does the Government expect to bring this Act into operation in the year 1939?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I have already stated that Government will come to a decision as soon as the session is over.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that the Government has found the Act so difficult to operate that it is considering the desirability of suitably amending the Act before putting it into operation?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: No, Sir.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that the former Secretary of the Communications and Works Department has submitted a note pointing out certain serious defects in the Act which necessitate an early amendment? Otherwise, the Act cannot be operated successfully.

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I am sorry, I cannot say what note the previous Secretary of the Department has left behind.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he has at all received a note on this point or not? If it is his intention not to give me the information contained in that note, that is a different matter. All that I want to know is if he has at all received a note from the previous Secretary pointing out certain serious defects in the Act?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I believe every Secretary of the Government leaves some note either in favour of or against any scheme in the departmental file.

Dr. NALINAKSHA SANYAL: My question has not been answered, Sir. I want to know specifically in connection with this particular piece of legislation whether the former Secretary—if I am permitted to name him I can—has definitely left a note complaining that it would not be desirable to put this Act into operation in its present form. I do not want the contents of the note but I only want to know whether it is a fact or not.

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I have already stated that I am not in a position to give that information to the honourable member.

Mr. ANUKUL CHANDRA DAS: Will the Hon'ble Minister be pleased to state if there is any difficult in bringing the Act into operation?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: After considering the question in all its aspects, the Government will come to a decision shortly.

Dr. NALINAKSHA SANYAL: Does the Government consider the desirability of examining the various provisions of the Act to find out if the Act in its present form would be helpful to the interests of the province?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: It is only to be expected that Government would consider the Act in all its aspects before bringing it into operation.

Dr. NALINAKSHA SANYAL: Is the Government aware that the operation of this Act, for which a sum of Rs. 2,50,000 has been allotted, would not be in the interests of the rural population, because the Act will take into consideration mainly the waterways dealing with navigable channels?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I am afraid the honourable member is not correct because the Act when it is brought into operation will certainly deal with all channels, including those on which country boats also ply.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to tell us if he is aware that this Act will not cover the irrigation channels and other smaller channels where country boats may ply but which are not in the list of navigable channels now maintained by Government?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I believe the honourable member is not correct.

Dr. NALINAKSHA SANYAL: In view of this, does the Government consider the desirability of suitably amending the Act so that the Waterways Board, constituted as a result thereof, will be in a position to cater to the needs of rural Bengal in all their aspects, namely, navigation, irrigation and public health?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, the Waterways Act is intended to deal only with communications and not either with drainage or public health.

Dr. NALINAKSHA SANYAL: My question has not been answered. In view of the fact which has just been mentioned, does the Government consider the desirability of so suitably amending the Act as to extend its operations to other problems also? The answer should be "yes" or "no".

Mr. SPEAKER: The difficulty lies in "suitably amending the Act." You may ask whether the Government has any legislation under contemplation.

Dr. NALINAKSHA SANYAL: Is the Government considering any legislation to make it comprehensive for the Waterways Board or any other similar Board constituted by the Government to take into consideration problems other than the navigable channels dealt with by the Waterways Act?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Not yet.

Special Appellate Officer, Comilla Debt Settlement Board.

*398. **Mr. ASIMUDDIN AHMED:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state —

(*i*) the number of appeals filed by debtors and the number of appeals filed by the creditors separately before the Special Appellate Officer since the appointment of that officer at Comilla against the decision of the Debt Settlement Boards;

(*ii*) the number of appeals allowed;

(*iii*) the number of appeals allowed in favour of debtors; and

(*iv*) the number of appeals allowed in favour of the creditors?

(*b*) Are the Government considering it desirable to transfer that officer at the earliest possible opportunity?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) (*i*) By debtors 9 and by creditors 459.

(*ii*) 53.

(*iii*) Nil.

(*iv*) 53.

(*b*) Special Appellate Officers are Judicial Officers, and by virtue of the provisions of sub-section (*3*) of section 255 of the Government of India Act, 1935, the Provincial Government is not responsible for the posting or transfer of Judicial Officers.

Mr. PROMATHA RANJAN THAKUR: Will the Hon'ble Minister be pleased to state whether the High Court is responsible for posting or for transfer of these officers?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Yes,

Mr. PROMATHA RANJAN THAKUR: Can the High Court be moved by the Provincial Government for the transfer or posting of these officers?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I am not quite sure about the position.

Excise shops settled with different communities in Dacca district.

***389. Mr. FAZLUR RAHMAN:** Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to lay on the table a statement showing for the period from 1936 up to February, 1939, separately—

(*a*) the number of shops of foreign liquors, country liquors, opium, *ganja*, toddy, *charas*, *bhang*, in the Dacca district settled with the—

(*1*) Caste Hindus,

(*2*) Mussalmans,

(3) Scheduled Castes,

(4) Christians, and

(5) Other communities; and

(b) the number of applications received from the Muslim and Scheduled Castes candidates for different kinds of Excise shops in the district?

MINISTER in charge of the FOREST and EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikut): A statement is laid on the Library table.

Scheme of small irrigation works in Bongaon subdivision as a panacea for floods.

***400. Mr. SERAJUL ISLAM:** (a) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state whether the Subdivisional Officer, Bongaon, submitted schemes of small irrigation works, including opening of some stagnant river mouths and cutting of some small *khals*, to let out flood waters for improving the condition of Bongaon subdivision from sudden attacks of floods?

(b) If so, are the Government considering the desirability of taking up those schemes in the near future?

(c) If so, when?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: The Collector of Jessore suggested four schemes within the Bongaon subdivision. Three of them are very small and the Collector and the District Board, Jessore, are of opinion that these should be taken up by the people themselves. The feasibility of the remaining one has yet to be investigated.

Babu NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether in respect of the three schemes which are very small the Government or the District Board is going to help the people?

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: What are the difficulties of Government in taking up the schemes themselves?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: It is not possible for Government to take up schemes which cost very small sums of money. If they do, it will only increase the total cost.

Mr. ATUL KRISHNA GHOSE: Is the Hon'ble Minister aware of the fact that to leave the matter in the hands of the people is to leave the matter not executed at all?

(No reply.)

Mr. ABDUL WAHAB KHAN: Is the Hon'ble Minister aware that by the policy of excluding small projects out of the list of irrigation works the benefits of Irrigation will be denied to some of the districts of Bengal?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I do not agree there, because although the execution of smaller schemes are intended to be made over either to local bodies or to the people interested, certainly the department will give the necessary technical advice.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state what is the exact definition of a small scheme?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: There is no definition which we have accepted yet, but I may inform the honourable member that the total cost of the three schemes referred to comes to less than Rs. 300 each.

Srijut NARENDRA NATH DAS GUPTA: Will the Hon'ble Minister be pleased to state whether if the people do not open the mouths of these three *khals*, the Government will sit idle and allow the stagnant water to remain?

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: In view of the fact that the Collector suggested four schemes, is it because three of these schemes are very minor ones that they can be conveniently thrust upon the people

whereas the fourth one being more difficult and important Government say that the investigation has not yet been completed? Will the Hon'ble Minister be pleased to state when the investigation will be complete?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: The honourable member is not correct in his assumption.

Mr. ATUL KRISHNA GHOSE: Sir, I submit that my question has not been answered.

Mr. SPEAKER: The first part of your question has been answered. But I am afraid the second part has not been.

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I may state that these schemes, together with others, have been received from various districts of the province, and we are examining not only the schemes of these districts but of all the districts. So it is extremely difficult for me to give any idea of the time as to when these schemes will be completed.

Mr. ATUL KRISHNA GHOSE: With regard to the four schemes recommended by the District Magistrate, of which three have been investigated and the fourth one left behind, will the Hon'ble Minister kindly explain the anomaly of the situation?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I have nothing further to add.

Babu NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether these schemes have been taken in hand?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I do not think—they have been taken in hand.

Conduct of police officers in the Damodar canal area for realisation of arrear water-taxes.

***401. Mr. ADWAITA KUMAR MAJI:** (*a*) Is the Hon'ble Minister in charge of the Home (Police) Department aware that activities of police officers in the Damodar canal area for realising arrears of water-taxes in the Burdwan district, including the behaviour

of one towards the public and an M.L.A. at the time of his visit to Hat Gobindapur Sadar on Saturday, the 18th March, 1939, were brought to the notice of the District Magistrate?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, are being taken in the matter?

(*c*) Is it not a fact that the people have already paid their dues?

(*d*) If so, what are the reasons for maintaining the police force in the area up till now?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) Yes.

(*b*) The Assistant Superintendent of Police, Burdwan, held a local enquiry and after examining the parties found the allegations to be baseless.

(*c*) No.

(*d*) The police force has been withdrawn with the exception of 24 constables who are on guard duty at the eight canal offices.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state whether the M.L.A. in question was examined?

The Hon'ble Khwaja Sir NAZIMUDDIN: He made a statement before the District Magistrate.

Mr. SURENDRA NATH BISWAS: With reference to question (*b*), will the Hon'ble Minister be pleased to state what were the allegations against the police?

The Hon'ble Khwaja Sir NAZIMUDDIN: I would refer the honourable member to answer to starred question No. 401 (*a*).

Mr. SURENDRA NATH BISWAS: I ask, what were the allegations? Answer to starred question No. 401 (*a*) does not state the allegations.

The Hon'ble Khwaja Sir NAZIMUDDIN: It is already there, the honourable member may read it.

Mr. DHIRENDRA NATH DATTA: How many persons were examined?

The Hon'ble Khwaja Sir NAZIMUDDIN: More than half a dozen persons.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state whether any intimation was given to the parties concerned before the enquiry was held?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

State Scholarships to Muslim students of Bengal Engineering College, Sibpur.

***402. Mr. MIRZA ABDUL HAFIZ:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement, year by year, for the last 10 years—

(*i*) the number of (1) total students and (2) Muslim students, who passed the final degree examinations, year by year, from the Bengal Engineering College, Sibpur, in—

(1) Civil,

(2) Mechanical, and

(3) Electrical (Engineering branch);

(*ii*) the number of Muslim students of that college provided with Government services drawing more than Rs. 200; and

(*iii*) the name and number of Muslim students who have got foreign diploma or so by State scholarship?

(*b*) Are the Government considering the desirability of making special provisions of State scholarships for higher studies of the boys of Muslim community from that college in the Engineering branch.

MINISTER in charge of the EDUCATION DEPARTMENT: (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) (*i*) A statement (No. I) furnishing the required particulars is laid on the table.

(*ii*) A statement (No. II) is laid on the table.

(*iii*) None.

As regards (*b*), the answer I propose to give is not what has been printed.

(*b*) Government have been considering the desirability of making special provision as suggested.

Statement referred to in the reply to clause (a) (i) of starred question No. 402, showing the total number of students and the number of Muslim students who passed the B. E. Examinations in (1) Civil, (2) Mechanical and (3) Electrical Engineering from the Bengal Engineering College during 1929-1938.

STATEMENT No. I.

Year.	Civil Engineering.		Mechanical Engineering.		Electrical Engineering.	
	Total number of students.	Number of Muslim students.	Total number of students.	Number of Muslim students.	Total number of students.	Number of Muslim students.
1929 ..	30	1	(No degree course in Mechanical Engineering up to 1931.)		(No degree course in Electrical Engineering up to 1935.)	
1930 ..	29	1				
1931 ..	20	1				
1932 ..	29	1	3	..		
1933 ..	29	..	6	1		
1934 ..	41	3	6	..		
1935 ..	30	1	12	..		
1936 ..	25	5	6	1	3	1
1937 ..	35	9	7	1	6	..
1938 ..	27	2	4	..	3	..

Statement referred to in the reply to clause (a) (ii) of starred question No. 402 showing the number of Muslim students of the Bengal Engineering College, provided with Government service during 1929-1938 and drawing more than Rs. 200.

STATEMENT No. II.

Year of appointment.	Number of appointments.
1929	1
1930	1
1933	1
1934	1

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state if any scholarship is given to any student, irrespective of any community, for foreign study in engineering?

The Hon'ble Mr. A. K. FAZLUL HUQ: I believe so.

Maulvi ABDUL BARI: In that case why no Muslim students were given any State scholarships up till now?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot say anything about the past, but I am considering the question now.

Government circular to Debt Settlement Boards regarding instalments for arrear rents.

***403. Kazi EMDADUL HAQUE:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state whether the Government have issued a circular to the Debt Settlement Boards in the province prohibiting granting of not more than four years' instalments to the tenants for arrear rents?

(*b*) If so, will the Hon'ble Minister be pleased to state whether the Government intend that the circular should be enforced even in the flood-affected areas?

(*c*) If it is to be enforced in the affected area, are the Government considering the desirability of issuing another circular authorising the Debt Settlement Boards to grant instalments in the flood-affected areas extending over 12 years?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*) The honourable member is referred to rule 62A under the Bengal Agricultural Debtors Rules published with notification No. 89R.I., dated the 19th January, 1939.

(*b*) The rule does not take away the Board's discretionary power, while fixing instalments, of allowing for the real difficulties of persons residing in flood-affected areas.

(*c*) Does not arise.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state what were the reasons that actuated the Hon'ble Minister to issue instructions to the department to fix the instalments for four years?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I am afraid, the honourable member has misread the rule. The rule says that whenever any instalment is fixed, it will be one-fourth of the arrear rent, not four years.

Kazi EMDADUL HAQUE: Will the Hon'ble Minister be pleased to state whether he is aware that, since the publication of the rule referred to in this answer, the Debt Settlement Boards have been granting instalments for four years on the plea that they have been rigidly bound by the rule to do so?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I am afraid no such case has been brought to my notice yet.

Maulvi ABDUL BARI: What is the difference between one-fourth of the entire rent and instalments for four years?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I may again draw the attention of the honourable member to the rule. Whenever any instalment is fixed for any particular year, it is fixed for one year and not more than one year, and it will be not less than one-fourth of the entire amount in arrear.

Maulvi ABDUL BARI: What were the reasons for allowing discretion to Boards in the matter of giving instalments and for the department giving special instructions with regard to them?

The Hon'ble Mr MUKUNDA BEHARY MULLICK: I am not aware of that; I can only refer the honourable member to the rule itself.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state why, and under what section of the Act, this rule was framed and instructions were issued by the department?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Section 55(*1*) of the Act.

Maulvi ABDUL BARI: Section 55 (*1*) no doubt gives the power, but, so far as the power of the Boards is concerned, will the Hon'ble Minister be pleased to state whether the power of the department is also there to frame the rules?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: We have not interfered with the discretion of the Boards in this matter.

Death of detenu Bimal Kumar Adhikary.

***404. Mr. DEBENDRA LALL KHAN:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Medical Department be pleased to state whether it is a fact that—

(*i*) Sriman Bimal Kumar Adhikary, aged 20 years, while residing in a hostel at 14, Harrison Road, with his elder brother was found in a dazed condition on the evening of the 6th April last, and his mess mates having suspected it to be a case of poisoning phoned for an amublance car;

(*ii*) the ambulance authorities noted in their register that it was a case of poisoning and sent a car in which he was taken to the Emergency Ward of the Calcutta Medical College Hospital by his mess mates;

(*iii*) the mess mates accompanying the invalid told the Medical Officer in charge of the said ward that they had been suspecting it to be a case of self-poisoning and requested him to make the necessary treatment;

(*iv*) the said doctors after examination of the patient declared it to be a case of heart disease and not of poisoning and ordered them to take him home;

(*v*) when the day dawned the condition of the patient became much worse and a private physician was called in who opined that it was a case of poisoning and advised the patient to be removed to the Medical College Hospital, where the patient died nearly an hour after admission; and

(*vi*) the Coroner's inquest showed that it was a case of opium poisoning and the Coroner's Court held that the boy ought to have been kept in the Observation Ward instead of being sent back to his lodgings?

(*b*) If the answer to (*a*) is in the affirmative, does the Hon'ble Minister propose to institute an inquiry into the conduct of the doctors concerned?

MINISTER in charge of the PUBLIC HEALTH and MEDICAL DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) (*i*), (*iii*), (*iv*) and (*v*) The member is referred to the replies given to question No. 188 of 25th August, 1938, in the last session in which the facts of the case were stated as ascertained after a thorough enquiry.

(*ii*) It is not the practice for the Medical Officers in the hospital to consult the register of the Ambulance authorities when patients are

brought to the Medical College Hospitals. It has however been ascertained that the entry in the register made by the telephone clerk referred to a case of poisoning.

(*vi*) Yes.

(*b*) Necessary enquiries have already been made.

Mr. ATUL KRISHNA GHOSE: What reference to question (*b*), will the Hon'ble Minister kindly enlighten us with the result of the enquiry and let us know whether any steps have been taken with regard to this matter?

The Hon'ble Mr. TAMIZUDDIN KHAN: The result of the enquiry, as I have already stated, is that the telephone clerk actually recorded that it was a case of poisoning.

Mr. ATUL KRISHNA GHOSE: With reference to answer (*b*), will the Hon'ble Minister be pleased to state after the enquiry what result has been found out, what were the implications, what was the state of affairs and the other details, *e g.*, how the doctor behaved, and so on?

Mr. SPEAKER: You cannot put such interrogatories in a supplementary question.

Mr. NIKUNJA BEHARI MAITI: With reference to (*b*), will the Hon'ble Minister be pleased to state what action has been taken as a result of the enquiry that has been held?

The Hon'ble Khwaja Sir NAZIMUDDIN: No action was considered necessary.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state what was the result of the enquiry?

The Hon'ble Khwaja Sir NAZIMUDIN: I would refer the honourable member to answer to question (*a*). This question was asked in the last session of the Assembly and a complete answer was given and that answer was given after the enquiry was made.

Damodar Bridge at Burdwan Sadar ghat.

***405. Mr. ADWAITA KUMAR MAJI:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state when the construction of the Damodar Bridge at the Burdwan Sadar *ghat* will be taken up?

(*b*) What is the cause of delay?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: (*a*) It is hoped that work will begin next cold weather.

(*b*) The bridge had to be redesigned when it was decided that it should carry a light railway instead of serving merely as a foot-bridge as originally contemplated. Another cause of delay was some divergence of opinion as to the scour which is likely to take place in the bed of the river after the construction of the bridge.

Mr. ADWAITA KUMAR MAJI: Will the Hon'ble Minister be pleased to state whether notice has been issued to acquire lands on the other side of the river?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I am afraid, I cannot reply to it off-hand, but, I am sure, lands will have to be acquired also on the other side.

Appointment in the departments under the Hon'ble Minister in charge of Judicial and Legislative Department.

***406. Maulvi ABDUL HAMID SHAH:** (*a*) Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to state—

(*i*) the number of appointments made in each cadre of service under him during the period from the 24th August last to the 15th February last; and

(*ii*) how many of them are Muhammadans, Scheduled Castes and Caste Hindus (separately in each of the cadres of service for which the appointments were made)?

(*b*) Will the Hon'ble Minister be pleased to state the number of vacancies which have remained unfilled in each of the cadres of service owing to the delay in the decision of the percentage question arising out of the resolution carried during the August session of the Assembly last year?

MINISTER in charge of the JUDICIAL and LEGISLATIVE DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur): It is presumed that the question refers to the Bengal Civil Service (Judicial).

(*a*) (*i*) Nil.

(*ii*) Does not arise.

(*b*) No recruitment has been made owing to the reduction in work and not for the reason suggested in the question.

Murder cases at Krishnagar, ...

*407. **Mr. HARIPADA CHATTOPADHYAY:** (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to lay on the table a statement showing for the last two years—

(*i*) the number of murders that took place at the town of Krishnagar, Nadia, during the last two years; and

(*ii*) the number of them that were traced and culprits punished?

(*b*) Is the Hon'ble Minister aware that a few months back the following murders were committed but the culprits have not yet been traced—

(*i*) of an old couple in a house on the high street, Krishnagar, a few furlongs from the police-station; and

(*ii*) of a woman of the town at Aminbazar?

(*c*) Is the Hon'ble Minister aware that there exists a feeling at Krishnagar as to insecurity of person and property?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, does he propose to take in the matter?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) (*i*) Three cases involving four murders.

(*ii*) In the first case the culprit was sentenced to ten years' rigorous imprisonment. In the second case three accused were convicted by the original court but were subsequently acquitted on appeal. The third case is still under investigation.

(*b*) (*i*) It may or may not be correct to say that the culprits have not yet been traced. The murders were not discovered for three days when the bodies were highly decomposed and it was not possible to ascertain the exact cause of death. Finger prints on certain utensils formed the only available clue, and the suspects therefore could not be charged with murder. They were sent up and convicted under section 454, Indian Penal Code, but were acquitted on appeal.

(*ii*) Yes. The case is still under investigation.

(*c*) No.

(*d*) Does not arise.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether the dead bodies referred to in question (*b*) (*i*) were sent up for *post mortem* examination?

The Hon'ble Khwaja Sir NAZIMUDDIN: Certainly.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state what was the result of the medical examination?

The Hon'ble Khwaja Sir NAZIMUDDIN: I would refer the honourable member to answer (*b*) (*i*).

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state what was the report of the Medical Examiner about the cause of death?

The Hon'ble Khwaja Sir NAZIMUDDIN: I would refer the honourable member to answer (*b*) (*i*).

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state if police have given up further investigation of that case?

Mr. SPEAKER: That question does not arise.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state, in view of his answer that "culprits have not yet been traced", whether Government are still investigating into the case?

The Hon'ble Khwaja Sir NAZIMUDDIN: The cases are still on the investigation list.

Rai HARENDRA NATH CHAUDHURI: With reference to (*c*), will the Hon'ble Minister be pleased to state whether statistics of murder cases in the district of Nadia show increase or decrease in the number of murders?

The Hon'ble Khwaja Sir NAZIMUDDIN: May I just point out to the honourable member that the question does not refer to the district of Nadia; it refers to the town only.

Conduct of the Sub-Assistant Surgeon, Sadar Hospital, Jessore.

***408. Mr. ATUL KRISHNA GHOSE:** (*a*) Is the Hon'ble Minister in charge of the Public Health Department aware—

(*i*) that complaints have been made by the honorary visiting surgeons to Civil Surgeon of the district against the present Sub-Assistant Surgeon of the Jessore Sadar Hospital about the treatment of patients and behaviour towards the public; and

(*ii*) that representations have been made against the said Sub-Assistant Surgeon to the Surgeon-General, Bengal, by the Chairman of the Jessore Municipality and other gentlemen?

(*b*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability of instituting an enquiry into the matter?

The Hon'ble Mr. TAMIZUDDIN KHAN: (*a*) No.

(*b*) Does not arise.

Nawab Bahadur's Free Institution, Murshidabad.

*409. **Maulvi ABDUL BARI:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) in what year the Nawab Bahadur's Free Institution, Murshidabad, was established; and

(*ii*) whether at any time the students of that institution had to pay any tuition fees?

(*b*) Is it a fact that the Government have decided to impose fees on the students of that institution from the current year?

(*c*) If so, what are the reasons?

(*d*) Is the Hon'ble Minister aware that such a decision of curtailing educational facilities of the people of the district particularly at a time when the last flood had made the people more impoverished than before has caused a feeling of resentment amongst the people of the district?

(*e*) Are the Government considering the desirability of withdrawing their decision?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) In 1909 the two institutions then existing at Murshidabad, viz., the Nawab's Madrassah and the Nawab's High School, were amalgamated under the name of the "Nawab Bahadur's Institution". The former was established in 1825 for the education of the younger members of the Nizamat family and the latter founded in 1854 under the name of the "Nizamat School" (subsequently called the "Nawab's High School") was designed for the education of the sons of the citizens of Murshidabad other than the *akrobas* or relatives of the Nawab Nazim.

(*ii*) No.

(*b*) Yes, on new students admitted to the institution from the current session, but it has since been decided to suspend realisation until further orders.

(*c*) The decision was largely influenced by the desire of Government to pursue a policy of "constructive retrenchment". Besides, when the two institutions referred to above were amalgamated, it was agreed by Government and by Nawab Bahadur that Government should maintain the institution and should provide free private tuition and free residence together with certain other facilities to the members of the Nizamat family only. There is no reason why non-Nizamat boys should be provided with free high school education in Murshidabad when no such free education is provided elsewhere.

(*d*) Two representations have just been received by the Director of Public Instruction, Bengal.

(*e*) Does not arise in view of the reply to (*b*).

Dr. NALINAKSHA SANYAL: With reference to answer (*b*), will the Hon'ble Minister be pleased to state if there were any discriminating scales of fee ever proposed or discussed.

The Hon'ble Mr. A. K. FAZLUL HUQ: No.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that Hindu students were required to pay full fee, Sunni students half-fee and Shia boys were proposed to be given free studentships under certain proposals of compromise in this connection?

The Hon'ble Mr. A. K. FAZLUL HUQ: That order may have been passed by some one other than the Government.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state if he is aware that the Hon'ble the Chief Minister had a meeting held at Hatua in which he openly declared that——

Mr. SPEAKER: That question does not arise.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state whether it was the desire of the Government not to realise any fees whatsoever from the students of the Nawab Bahadur's Free Institution?

The Hon'ble Mr. A. K. FAZLUL HUQ: It has been suspended for the present and nothing will be done until public opinion is expressed in favour of it.

Maulvi ABDUL BARI: Sir, public opinion has been sufficiently expressed by public meetings as well as by public representation to the Hon'ble the Minister in charge of Education and the Director of Public Instruction.

Mr. SPEAKER: That does not arise.

Maulvi ABDUL BARI: Sir, public opinion has been expressed in public meetings and by public representation——.

Mr. SPEAKER: It is too vague.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state for what consideration the previous Government had agreed to arrange free studentship in that institution? Was there any fund or funds placed at the disposal of Government as a result whereof Government promised to arrange free studentship?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am not aware what the previous Government had done.

Dr. NALINAKSHA SANYAL: Is the Hon'ble Minister aware that there was a fund called the Mani Begum Fund which had a substantial amount to its credit and which was taken over by Government on the assurance that free studentship will be arranged for a certain number of students?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have already stated that in consideration of the representations received, Government have decided not to levy fees for the present, but if I am pressed like this, I will be bound to tell the House that there is the other side of the question. The statement made by the honourable member is absolutely incorrect.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that in his file there is mention of a sum of Rs. 30,000 up to which Government was committed to contribute towards the upkeep of this institution?

The Hon'ble Mr. A. K. FAZLUL HUQ: That file seems to belong to somebody else other than the Government.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if there is anywhere any commitment of Government with regard to any sum in connection with the maintenance of this institution?

The Hon'ble Mr. A. K. FAZLUL HUQ: There is no commitment anywhere, no fund imaginary or real so far as I am aware.

Maulvi ABDUL BARI: Will the Hon'ble Minister be pleased to state whether any representation was made by the Nawab Bahadur of Murshidabad for not imposing any fees in the Nawab Bahadur's institution by the public of Murshidabad and by a member of this Assembly, Abdul Bari?

Mr. SPEAKER: You can answer this question deducting "Abdul Bari."

The Hon'ble Mr. A. K. FAZLUL HUQ: Mainly in view of the representation made by certain members of the legislature headed by Maulvi Abdul Bari, Government have decided not to levy fees at the present moment. That is all I can say.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that at a public meeting there has been an insistent demand and a slogan in the Murshidabad town was that "Shias map, Sunnis half, Hindura bapre bap"?

The Hon'ble Mr. A. K. FAZLUL HUQ: That may be a Congress slogan, but not here.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to state if he has enquired why the institution was named Nawab Bahadur's Free Institution?

The Hon'ble Mr. A. K. FAZLUL HUQ: Many things were enquired into; for the present the intention is not to levy fees.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what responsibility Government has in the running of the institution?

The Hon'ble Mr. A. K. FAZLUL HUQ: No responsibility except educating the public.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the Government has got a substantial hand in the constitution of the Committee of Management as well as in the running of the institution and appointing the Head Master?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have already said that no steps are being taken, and I submit all these questions do not arise.

Compulsory Free Primary Education in Mymensingh.

***410. Khan Sahib HAMIDUDDIN AHMAD:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware of the number of primary schools proposed to be started in pursuance of the Government resolution by the District School Board of Mymensingh?

(*b*) Did the Government take into consideration the question of the natural barrier between the villages in the low-lying part of the district before formulating their said proposal?

(*c*) If the answer to (*b*) is in the negative, are the Government considering the desirability of ascertaining the views of the School Board on this point?

(*d*) When do the Government propose to make primary education compulsory in the district of Mymensingh?

(*e*) Is the Hon'ble Minister aware that the people of the district have voluntarily taken over the burden of education cess during the economic distress through which they are passing?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) and (*b*) Yes. It is proposed to start 2,634 Board primary schools in consideration of the local needs of the district.

(*c*) Does not arise.

(*d*) As soon as Government are satisfied that there is adequate provision for primary education in the district in terms of section 56 of the Bengal (Rural) Primary Education Act.

(*e*) Yes. They have shown commendable public spirit which the Government very much appreciates.

Khan Sahib HAMIDUDDIN AHMAD: In view of answer (*c*), is the Hon'ble Minister aware that there are many villages which require consideration due to their geographical situation though they are not entitled to any school for themselves on the basis of population and areas prescribed in the Government resolution?

The Hon'ble Mr. A. K. FAZLUL HUQ: I submit, these are matters primarily for the District School Board.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state the standard for each primary school on the basis of which this figure of 2,634 has been arrived at?

Mr. SPEAKER: That question does not arise.

Mr. MONMOHAN DAS: Will the Hon'ble Minister be pleased to state whether it is a fact that in many areas densely populated by the Scheduled Castes no primary school has been started in spite of the recommendation of the local education committee?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am not aware, but I am sure if the matter is brought to the notice of the District School Board, they will take proper steps.

Mr. MIRZA ABDUL HAFIZ: Is the Hon'ble Minister aware that the introduction of the compulsory aspect of free primary education has been the crying need of the district of Mymensingh?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes, Sir. As I have already explained compulsion cannot be introduced unless we have established primary schools throughout the district.

Flood relief in Kurigram subdivision.

***411. Kazi EMDADUL HAQUE:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state the nature and extent of the relief given to the flood-stricken people in the Kurigram subdivision giving figures thana by thana?

(*b*) Will the Hon'ble Minister be pleased to state whether there was any epidemic anywhere in the affected areas?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) how many people were affected;

(*ii*) how many of them succumbed;

(*iii*) how many survived; and

(*iv*) how long the epidemic continued?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) A sum of Rs. 2,40,000 was distributed as agricultural loans and Rs. 11,192 as gratuitous relief. The details are shown below:—

Thana.	Amount distributed as	
	Agricultural loan.	Gratuitous relief.
	Rs.	Rs.
Rowmari ..	79,700	3,796
Chilmari ..	56,794	2,320
Nageswari ..	43,326	1,892
Bhurungamari ..	5,040	180
Kurigram ..	31,880	1,268
Ulipur ..	23,260	1,096
		540 (Boat hire, etc.)
Total ..	2,40,000	11,192

(*b*) Yes, with the subsidence of flood, cholera and malaria broke out in Rowmari, Chilmari, Nageswari, Ulipur, Kurigram and Bhurungamari.

(*c*) (*i*) 1,123.

(*ii*) 652.

(*iii*) 471.

(*iv*) The epidemic continued from August to December, 1938.

I may add that since the reply to this question was made ready about half a lakh more has been sanctioned for Rangpur out of which a large portion, I am sure, will go to the Kurigram subdivision.

Kazi EMDADUL HAQUE: Is the Hon'ble Minister aware that Rowmari and Chilmari are the worst thanas in the Kurigram subdivision?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Kazi EMDADUL HAQUE: Will the Hon'ble Minister be pleased to state the reasons why in the Rowmari and Chilmari thanas more agricultural loan was given than in any other area in the Kurigram subdivision?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: According to the need the distribution had to be made.

Babu KSHETRA NATH SINGHA: Will the Hon'ble Minister be pleased to tell us why in the Chilmari thana out of six unions, the two or three unions which were worse affected were neglected and why the two other unions where floods did not at all seriously damage anything, the major portion of the money was spent?

Mr. SPEAKER: That is not in the answer; how do you know that?

Babu KSHETRA NATH SINGHA: That is my personal knowledge.

Kazi EMDADUL HAQUE: Will the Hon'ble Minister be pleased to state if the Rowmari and Chilmari thanas have not formed part of the constituency which has joined the Coalition?

Mr. SPEAKER: That question does not arise.

Kazi EMDADUL HAQUE: With reference to answer (*c*) (*iv*), viz., the epidemic continued from August to December, 1938, will the Hon'ble Minister be pleased to state what sort of relief was given to the affected area and what precautionary measure was taken?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, Government sent doctors for giving anti-cholera injections and distributed quinine through the district board in case of malaria.

Kazi EMDADUL HAQUE: In which thana?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: All thanas wherever necessary.

Babu KSHETRA NATH SINGHA: About the Bhurungaman thana, will the Hon'ble Minister be pleased to enquire whether the tenants of some of the members of this Government were allowed more money which was taken away as rents due to them?

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state whether the Government is ready to make an enquiry into the matter whether preferential treatment has been accorded to different unions which were not proper on the part of Government?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government strongly repudiate any such allegation. There is absolutely no foundation for any such allegation. It is untrue, and I hope the honourable member will fully realise his responsibility before making any such statement.

Mr. SHAH ABDUR RAUF: Is it not a fact that when an agricultural loan is granted, it is given on the recommendation of the local officer?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Number of holdings or jotes sold by auction by Courts in Comilla from 1930 to 1938.

177. Mr. ASIMUDDIN AHMED: (*a*) Will the Hon'ble Minister in charge of the Judicial Department be pleased to lay on the table a statement showing for the years 1930 to 1938—

(*i*) the number of holdings or *jotes* sold in auction through the Courts of Sub-Judge and Munsifs of Comilla;

(*ii*) the number of cases in which petitions were filed by the debtors of Comilla Sadar to set aside the auctions during the period;

(*iii*) the number of cases set aside on such petitions;

(*iv*) the number of petitions that were rejected;

(*v*) the number of holdings sold in auction against the stay-orders of the Debt Settlement Board of Sadar Comilla; and

(*vi*) the number of petitions received by the Sadar Subdivisional Officer, Comilla, or District Magistrate, Tippera, by post or otherwise from the debtors to compromise the quarrel between the auction purchasers and debtors dispossessed from auction sold lands from 1930 to 1938?

(*b*) Has the attention of the Hon'ble Minister been drawn to the fact that dispossessed debtors are ready to take possession of their lands on payment of decretal amount by instalments?

(*c*) Do the Government propose to take any action in the matter?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: (*a*) I regret that the collection of material for preparation of the statement desired by the member would involve an expenditure of time and labour which Government is not in a position to undertake.

(*b*) No.

(*c*) Does not arise.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state whether he is aware that a register of jotes is kept in the civil court mentioned in the question?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I am not aware.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state how could he say then "that the preparation of the statement desired by the member would involve an expenditure of time and labour which Government is not in a position to undertake"?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I hope the honourable member will kindly read the purport of the question.

Mr. DHIRENDRA NATH DATTA: I have read it. Mr. Speaker, Sir, will you please help me?

Mr. SPEAKER: Have you read it?

Mr. DHIRENDRA NATH DATTA: I have read it. It is not an answer to my question.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: My friend ought to know that a question like this wants an answer which involves an expenditure of time and labour which would not justify the result.

Mr. DHIRENDRA NATH DATTA: I want to know how he could say that.

Mr. SPEAKER: I think you had better see the Minister in his chamber.

Meetings of the Scheduled Castes Education Committee.

178. Mr. DHANANJOY ROY: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) how many meetings were called of the Scheduled Castes Education Committee for the purpose of formulating schemes to spend the special grant of 5 lakhs of rupees; and

(*ii*) whether any recommendations were made by the said committee?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble Minister be pleased to supply copies of those recommendations to the members of the Scheduled Castes party?

(*c*) How many of those recommendations have been accepted and given effect to?

(*d*) If the answer to (*c*) is nil, will the Hon'ble Minister be pleased to state the reason thereof?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) Two.

(*ii*) Yes.

(*b*) The proceedings are treated as confidential and I regret that copies cannot be supplied to the members.

(*c*) The majority of the recommendations have been fully accepted.

(*d*) Does not arise.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state what amount of expenditure is involved in the recommendations made by the committee with reference to answer (*c*)?

The Hon'ble Mr. A. K. FAZLUL HUQ: The committee recommended a sum of Rs. 1,50,000 for the Scheduled Caste students in Calcutta and hostels in Barisal and Comilla, the amount of scholarships varying from Rs. 10 to Rs. 18—

	Rs.
I.A.	10
I.Sc.	12
B.A. ...	15
B.Sc.	18

So far as the scholarships are concerned, they have been given effect to. As regards hostels, estimates are being prepared and they will be considered. I hope to be able to put forward a demand in the next budget.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether the total amount of Rs. 5 lakhs which was granted by Government for the education of the depressed class people had been budgeted by the committee?

The Hon'ble Mr. A. K. FAZLUL HUQ: Not the entire amount.

Mr. SURENDRA NATH BISWAS: What is the amount left now for further recommendation for further schemes?

The Hon'ble Mr. A. K. FAZLUL HUQ: I would like to have notice. The papers before me do not give me any information.

Mr. ATUL KRISHNA GHOSE: With reference to reply (*b*), will the Hon'ble Minister be pleased to state what the reasons were which led the Government to hush up the proceedings of the committee which was appointed to find out ways and means to fix up the special grants?

The Hon'ble Mr. A. K. FAZLUL HUQ: The committee consists of a very large number of Scheduled Caste members of the Assembly. In the first meeting as many as 14 Scheduled Caste members attended and in the second meeting as many as 15 attended. There are so many members of the Legislative Assembly present who know the proceedings as they took part in the proceedings, and I do not think any useful purpose will be served by publishing the statement for the information of the public.

Mr. ATUL KRISHNA GHOSE: What was the reason for treating the proceedings as confidential?

The Hon'ble Mr. A. K. FAZLUL HUQ: Confidential so far as the public are concerned, but the members know everything.

Supply of copies of Urdu Kabins in Bengali by Muhammadan Marriage Registrar of Dacca.

179. Mr. TARINICHARAN PRAMANIK: (*a*) Is the Hon'ble Minister in charge of the Education (Registration) Department aware that the Muhammadan Marriage Registrar of Dacca supplies copies of Urdu Kabins in Bengali which causes great inconvenience to the public who do not know Bengali?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) whether the said Muhammadan Marriage Registrar has been authorised to make such Bengali translation of the terms and conditions written in Urdu; and

(*ii*) if so, whether it has been ascertained beforehand that the said Muhammadan Marriage Registrar has sufficient knowledge in Urdu to render correct translation?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) I have no information. There has been no complaint in this respect.

(*b*) Does not arise.

Eden Canal area.

180. Mr. DHIRENDRA NARAYAN MUKERJI: Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state—

(*a*) the area irrigated by the Eden Canal;

(*b*) the revenue assessed with the different schedules of rates for different crops;

(*c*) the prices of the different crops grown in the area irrigated by the Eden Canal, especially paddy and potatoes;

(*d*) the cost incurred by the Government for (1) irrigation establishment, (2) revenue establishment, (3) contingency and (4) works; and

(*e*) the amount of commission allowed to tenants and lessees for collection of revenue in 1897, 1911, 1932 and 1937?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: (*a*) The information desired by the hon'ble member is published monthly in the *Supplement to the Calcutta Gazette*.

(*b*) I am unable to give the final figures for 1938-39. The total revenue assessed during 1937-38 was Rs. 33,646-10 at the rates then in force. These rates were set out in the Irrigation Department Notification No. 6/I, dated the 24th March, 1933, published at pages 487-509, Part I of the *Calcutta Gazette* of the 30th March, 1933.

(*c*) The current prices of paddy in different districts are published in the *Supplement to the Calcutta Gazette* twice a month

Information regarding the price of potatoes of different varieties is not readily obtainable. In 1937-38 the price of the *thikra* variety ranged between Re. 1-8 and Rs. 8-8 per maund.

(*d*) Establishment charges including contingencies debited to the Eden Canal during 1937-38 were as follows:—

	Rs.
Engineering	... 21,541
Revenue	... 21,139

These are inclusive of overhead charges calculated on a *pro rata* basis.

Charges on account of works (maintenance and repairs) were Rs. 20,986.

(*e*) The commission allowed during 1937-38 was Rs. 1,890-3. No information regarding other years is available.

Binnagari Bil in Rangpur.

181. Haji SAFIRUDDIN AHMED: (*a*) Is the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department aware—

(*i*) that a tract of land known as the Binnagari *Bil* in police-station Kaliganj, district Rangpur, has no drainage;

(*ii*) that there has been continued failure of crops in the area;

(*iii*) that the neighbouring villages are suffering from malaria;

(*iv*) that the subscriptions from the local people and the zemindar of the locality for cutting a drainage to the said *bil* is in deposit with the Subdivisional Officer, Sadar; and

(*v*) that the local people filed a petition on 16th February, 1939, to the Government regarding this matter?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) whether his attention has been drawn to this matter; and

(*ii*) if so, whether the Government are considering the desirability of undertaking a comprehensive scheme for a drainage canal from the said *bil* to the nearest river the Sanyamati for the improvement of agriculture and public health?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: (*a*) (*i*) Yes.

(*ii*) A large tract of land remained uncultivated owing to the accumulation of water.

(*iii*) Yes.

(*iv*) A sum of Rs. 1,000 has been contributed by the Nawab Bahadur of Murshidabad and a sum of Rs. 300 collected locally. The money has been deposited with the Subdivisional Officer, Sadar.

(*v*) A petition from the local people was received by the Hon'ble the Chief Minister on the 18th February, 1939.

(*b*) (*i*) The hon'ble member probably remembers that he brought the matter to my notice about a month ago.

(*ii*) The District Magistrate has reported that a scheme has been formulated and subscriptions raised for the execution of the work. The work has already been undertaken and is in progress.

Re-excavation of khals in Midnapore.

182. Mr. NIKUNJA BEHARI MAITI: (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state whether the Government have received a petition from the inhabitants of Bamunara and other villages of Nandigram police-station, Midnapore, on the question of adequate re-excavation work of the Narandanri and Burunda *khals* in Midnapore?

(*b*) If the answer to (*a*) is in the affirmative, are the Government considering the desirability of extending the re-excavation work up to the junction of those *khals* at Talpukur?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: (*a*) Yes.

(*b*) The area in which the petitioners are interested cannot be drained by the Narandanri-Barunda *khal* as it slopes in the opposite direction towards Kolaberia *khal*. Hence no useful purpose will be served by the extension of the silt clearance of the Narandanri-Barunda *khal* up to Talpukur. The question of improving the drainage of the area is being considered along with another scheme known as the Dunia Scheme.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to state if the Narandanri-Barunda Khal is one khal or two khals?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I want notice.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to make an enquiry into the matter whether the water is being drained by the Narandanri-Barunda Khal which is not one khal but

really two khals? But here it is stated as one khal out of the ignorance of the department which furnished the information. Will the Hon'ble Minister be pleased to enquire whether the sloping of the water is towards Narandanri and Barunda Khals or towards Kolaberia Khal?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: It will appear from the reply itself that the sloping would not permit the water of the area to be drained by either of the two khals, viz., Narandanri and Barunda Khals.

Discharged nurses of the Smallpox Ward of the Campbell Medical Hospital.

183. Babu KHAGENDRA NATH DAS GUPTA: (*a*) Will the Hon'ble Minister in charge of the Public Health Department be pleased to state whether it is a fact that the services of a number of hospital nurses of the Smallpox Ward of the Campbell Medical Hospital have been discontinued with effect from the 10th March, 1939?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether he is considering the desirability of making a statement detailing the reasons for which and the circumstances under which the aforesaid action has been taken?

The Hon'ble Mr. TAMIZUDDIN KHAN: (*a*) and (*b*) A large number of nurses is engaged on a temporary basis, the usual term being that the appointment will cease on 24 hours' notice on either side. It was found that at the time of rush and urgency a large number of unqualified and incompetent nurses had been employed. Subsequently when qualified nurses became available, the unqualified nurses were replaced by the qualified ones, notice being given to the former according to the contract, in the interests of the patients. These nurses are paid for by the Corporation of Calcutta.

Mr. SYED JALALUDDIN HASHEMY: In view of the fact that small-pox breaks out in an epidemic form every year in Calcutta, will the Hon'ble Minister be pleased to tell us who is or are responsible for appointing these unqualified and incompetent nurses in the Campbell Hospital?

The Hon'ble Mr. TAMIZUDDIN KHAN: As qualified nurses were not available, these unqualified nurses had to be appointed?

Mr. SYED JALALUDDIN HASHEMY: Was any advertisement made in the papers inviting applications from competent nurses?

The Hon'ble Mr. TAMIZUDDIN KHAN: I ask for notice.

Mr. SYED JALALUDDIN HASHEMY: Is the Hon'ble Minister aware of the fact that the Health Officer of the Calcutta Corporation declared epidemic, giving sufficient margin of time so that Government might issue advertisements for appointing qualified and competent nurses in the Campbell Medical Hospital?

The Hon'ble Mr. TAMIZUDDIN KHAN: I am not aware of that.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state how and under what circumstances they discovered that these nurses were incompetent and unqualified, and under what circumstances they appointed qualified and competent nurses?

The Hon'ble Mr. TAMIZUDDIN KHAN: When they were appointed, the authorities were certainly in a position to say whether they were qualified or unqualified nurses. When the stress of the epidemic season was over, the authorities had time enough to recruit qualified nurses.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state how they secured the services of qualified and competent nurses after discharging the incompetent ones.

The Hon'ble Mr. TAMIZUDDIN KHAN: They must have followed the ordinary course.

Babu KHAGENDRA NATH DAS GUPTA: Is it not a fact that the services of these nurses have been dispensed with for the reason that they refused to work overtime?

The Hon'ble Mr. TAMIZUDDIN KHAN: Not that I am aware of.

Mr. NISHITHA NATH KUNDU: In view of the answer that there was no advertisement made, how does the Hon'ble Minister say that there was a dearth of qualified nurses?

The Hon'ble Mr. TAMIZUDDIN KHAN: I have not said that no advertisement was made.

Mr. NISHITHA NATH KUNDU: Will it be possible for the Hon'ble Minister to tell us the number of discharged temporary and unqualified nurses and the period of service they had put in before they were discharged?

The Hon'ble Mr. TAMIZUDDN KHAN: Not without notice, Sir.

Short-notice question.

Dr. NALINAKSHA SANYAL: Sir, on Friday last I sent a short-notice starred question to your office on a very important matter of public interest, namely, the opinion of the Government of Bengal on the proposed amendment to the Government of India Act. I have not yet had any indication as to whether Government are prepared to send any answer to the same. I submit that it is a matter of considerable interest and urgency in view of the fact that the subject is under discussion in the Parliament now. If the Government are not prepared to answer the question, will you kindly give your consent so that I may move an adjournment motion thereon?

Mr. SPEAKER: I shall have to consider whether such a motion is in order, and I shall give my decision later on.

Dr. NALINAKSHA SANYAL: In the meantime, Sir, may I have a statement from the Hon'ble Minister concerned?

Mr. SPEAKER: We have sent it to the department concerned, but I do not know anything further about it.

Working of the cooling plant.

Mr. SPEAKER: Before the next business commences, I think it is my duty to draw the attention of the Hon'ble the Home Minister and the Hon'ble Minister in charge of Communications to the failure of the cooling plant to sufficiently cool the chamber. I have been told that the water is not being sufficiently cooled, and the temperature of the chamber after some time is such that it is unbearable. Last year I drew the special attention of the Communications and Works Department to this fact and I was told that we must wait and see. We have waited for two years. And I think, from the way in which the Legislature is meeting, the session will be prolonged much more

than was expected. I do not know what is the expert advice on the matter. But common sense says that for a plant which used to serve a chamber occupied by about 140 members only for a month or two at best in a year, it is not possible to sufficiently cool a chamber occupied by 250 members in addition to another 60, from 2 p.m. to 8 p.m. I do not know whether there is any machinery having sufficient capacity to properly cool this chamber for such a long period, but I think it is extremely desirable that this question should be immediately looked into if the House is to meet under proper conditions; otherwise it is difficult to meet. We have to supply ice to the members because the water cooling arrangement has failed and the air is not being cooled. This fact should be immediately looked into and steps taken to remove the difficulty.

Mr. SYED JALALUDDIN HASHEMY: Sir, you are competent enough to prorogue the House in view of the failure of the cooling plant. (Laughter.)

Mr. SPEAKER: I am not competent to prorogue, but I may adjourn the House.

Mr. SARAT CHANDRA BOSE: Sir, I entirely agree with the observations made by you, and I think the Hon'ble the Chief Minister is in a position to come to our rescue. If he does so, it would be useful from more points of view than one, particularly on account of the measure that is before us now. In a cool atmosphere we might have the opportunity of discussing matters round the table and coming to some sort of solution satisfactory to all the parties concerned.

The Hon'ble Khwaja Sir NAZIMUDDIN: This is the first time, Sir, that I have heard of it, and I can assure you that Government will look into it. But I may also say at the same time that this chamber is the coolest place in Calcutta.

Mr. SPEAKER: May I draw the attention of the Hon'ble the Home Minister to the fact that it is not a question whether this chamber is the coolest place or not, but the question is whether it is a place which is sufficiently cool for us to sit and carry on our business. I am rather surprised that this matter is not known to the Hon'ble the Home Minister. Probably the Hon'ble the Home Minister was not present yesterday when the temperature in the chamber was very high and we were in a terrible condition. I do not know what will be the situation to-morrow, but in any case it is a fact, and I hope the Home, the Finance and the Communications Departments will kindly look into the matter as early as possible.

GOVERNMENT BILL

The Calcutta Municipal (Amendment) Bill, 1939.

Mr. SPEAKER: There is one motion which has already been taken up. What I propose to do is that we might have it now or later when the other matter is decided. And then the entire motion may be put together.

Mr. JOGESH CHANDRA GUPTA: I have got to bring to your notice that the question of nomination—its retention or abolition—is very material in determining what the total number of seats would be. It may be that if the House decides on the abolition of nomination, the number of seats already provided may meet with our wishes. Then, again, a considerable section of the House feel that the arrangement for the Scheduled Castes seats would come in for a good deal of criticism, and on that point a decision will have to be arrived at. That will determine what the total number of seats should be. Then we have the question of separate electorate to consider. As has been indicated by previous speakers, if the principle of separate electorate is accepted by the House, then the question of giving 22 seats or more will also have to be solved. I therefore suggest that we should take up those subsidiary questions first and then come finally to the total number of seats.

Mr. SPEAKER: The only point which appeals to me is the question of nomination and not the question of separate electorate which is a different issue. So far as I have read the section it is quite true that the total number depends upon the factor of nomination. That being so, what I propose to do is to put clause 2 after discussion, but before I do so, I shall have to consider whether I shall first put number 85 which is a Government amendment and then put the other one. We have to put clause 3 as a whole.

Mr. SANTOSH KUMAR BASU: Mr. Speaker, Sir, may I point out with regard to this matter that the total number of seats is really a consequential arrangement after the distribution of seats is decided upon? For instance, the total number of seats fixed in the Bill itself was 99. Then Government has proposed certain redistribution of seats reducing the number of nominated seats from 10 to 8 and increasing one seat in Ward No. 18, in the General Constituencies, and in this way they have arrived at the figure 85. Therefore, in my submission, the total number of elected seats is a consequential arrangement, after we decide upon, as Government has evidently done by their short-notice

amendments, the distribution of allocation of seats in the General Constituencies, nomination, so on and so forth. From that point of view, I would request you to keep back the question of total number of seats until the other amendments under the different heads have been disposed of.

Mr. SPEAKER: I am sorry, Mr. Basu, that it is not possible for me to do so. All that I can do is to take up clause 3 together, but I do not agree that the total number is consequential to the schedule. On the other hand as I take the Bill, the schedule is consequential to the total number. That being so, I certainly agree with what Mr. J. C. Gupta has said that the total number is a total number of both elected and nominated seats. Therefore, until the question of nomination is finally decided upon, it is quite legitimate for anybody to declare that they may come to any conclusion they like with regard to the total number. What I propose to do therefore is this: I wish to finish clause 3 and afterwards put the Government amendment about the total number to vote.

Dr. NALINAKSHA SANYAL: Sir, let us have the Government view on the matter.

Mr. SPEAKER: (To Nawab Bahadur of Dacca) Do you agree to that?

Mr. Khwaja SHAHABUDDIN: Sir, may I submit that so far as the total number is concerned there are two differences—one relates to the total number of elected seats, and the other relates to the number of seats that Government may fix by nomination. So I do not see why one should be dependent upon the other.

Mr. SPEAKER: That is because you have made it one clause. It is not a case of two separate clauses. If you look at the original Calcutta Municipal Bill, you will find that nomination is a part of the total number and that nomination is not independent and so there will be no further discussion. The only thing, so far as the question of putting to vote the Government amendment is concerned, is that I propose to do it after section 2 of clause 3 is finished.

Mr. Khwaja SHAHABUDDIN: I do not think that in that case there will be any objection to it.

Mr. SPEAKER: That is all right. There will be no discussion. Now we will take up the other amendments.

Mr. JOGESH CHANDRA GUPTA: Sir, may I draw your attention to the amendments that I have sent to the short-notice amendment of Mr. Shahabuddin?

Mr. SPEAKER: I am just looking into it. I am afraid one is in order, but the other is not in order.

The Hon'ble Mr. A. K. FAZLUL HUQ: I am sorry, but may I point out, Sir, that the amendment moved by Mr. Shahabuddin, viz., No. 58 (*a*), is to this effect: "That in clause 3 (*1*), line 2, for the word "eighty-four" the word "eighty-five" be substituted.

That is also the amendment which has been moved by Mr. Hem Chandra Naskar.

Sir, it strikes me that it has nothing to do with nomination. It can be 84 or 85 or anything. So, it is not dependent on the distribution.

Mr. SPEAKER: No, it has nothing to do with nomination. Mr. Gupta, what are your two amendments?

Mr. JOGESH CHANDRA GUPTA: Sir, my first amendment is that in place of "eight" the word "one" be substituted, namely, that the Chairman of the Improvement Trust will be the one nominated member. That is one amendment.

I have also suggested that clause (*b*) of section 5 be deleted altogether.

Mr. SPEAKER: That is not in order.

Mr. JOGESH CHANDRA GUPTA: Sir, Mr. Shahabuddin wants to move that in clause 3 (*2*), in proposed clause (*b*) of section 5, lines 1 and 2, for the words "ten councillors to be appointed by the Provincial Government" the words "eight councillors to be appointed by the Provincial Government....." and so on. That is the short-notice amendment, Sir, which has been accepted. It was circulated to us yesterday and therefore we should be given an opportunity to send in amendments to this short-notice amendment.

Mr. SPEAKER: You are perfectly entitled to do that, and I am admitting your amendment in which instead of "eight" you want to substitute the word "one". It is perfectly in order, but you cannot by that operate on the whole clause.

Rai HARENDRA NATH CHAUDHURI: Sub-clause (*2*). It is not the whole clause.

Mr. SPEAKER: No, that cannot be done.

Mr. JOGESH CHANDRA GUPTA: I mean sub-section (*2*) of section 5 (*b*).

Mr. SPEAKER: There is already a motion for that.

Mr. JOGESH CHANDRA GUPTA: That motion only mentions that clause 3 (*2*) (*b*) be omitted, but that does not delete the provision in the original Act. Therefore, this amendment is consequential in order to fulfil the purpose of the amendment already sent in.

Mr. SPEAKER: I want to make my position clear, viz., that so far as any extra amendment is concerned, I am prepared to accept any amendment which directly arises out of the amendment of Mr. Shahabuddin, but anything which operates on the main sections of the Calcutta Municipal Bill is not in order, and I hope Mr. Gupta will agree with me, if not here then at least ouside this Chamber, that I am correct in this view.

Mr. JOGESH CHANDRA GUPTA: Sir, I agree that unless this amendment was to make clear the object of the amendment already sent in, I was not entitled to move it but Mr. Speaker, Sir, you will agree with me that motions 16 to 18 and motion No. 30 of Mr. Jalaluddin Hashemy —all these relate to abolition of nomination, as also motions Nos. 22 and 23.

Mr. SPEAKER: I know that nobody studied the Bill actually. Everybody was thinking that they were going to abolish nomination. I am however helpless in the matter.

Mr. JOGESH CHANDRA GUPTA: Sir, generally when amendments are sent in, the Assembly Department always gives effect to the intention of the mover. I come under that protection in this case.

Mr. SPEAKER: I hope Mr. Gupta will not request me to go beyond the principle which I have followed.

Mr. JOGESH CHANDRA GUPTA: Sir, may I explain to you——

Mr. SURENDRA NATH BISWAS: Sir, may I say one word to clarify the position? If you have allowed Mr. Gupta to move an amendment to Mr. Shahabuddin's short-notice amendment, *viz.*, to substitute the word "one" in place of the word "eight", then these further amendments to delete sub-clauses (*1*) and (*2*) of clause (*b*)

will come in as consequential amendments because the real implications of Mr. Gupta's amendment will be that there will be one councillor to be nominated. If that is allowed, then sub-clauses (*1*) and (*2*) of clause (*b*) will go out.

Mr. SPEAKER: The honourable members can rest assured that nobody has devoted greater time than myself to find out the implications of these amendments. I have very carefully considered this matter, and I can assure the honourable members both on my right as well as on my left that if there is any amendment which I consider to be strictly arising out of the amendment of Mr. Shahabuddin, I will have no hesitation in accepting it. Even though I may not give my final decision now, for the time being, my decision is that the other part is not in order but this part is in order, for with regard to the main amendment, somebody may say "two" councillors and somebody else may say "one" instead of Mr. Shahabuddin's "eight"——

Mr. SANTOSH KUMAR BASU: If somebody says "no" councillor?

Mr. SPEAKER: Somebody must retain something—like the salary of Ministers.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. Evidently some members have made a mistake in expressing their ideas so far as these amendments go. I sympathise with them. But would you not very kindly consider the position and permit their amendments to be amended by short-notice amendments suitably to express their intention now because it is really——

Mr. SPEAKER: I have already said, I will have a discussion with Mr. Gupta.

Mr. SANTOSH KUMAR BASU: Sir, may I remind you and the Secretary that Mr. Barada Prosanna Pain, as far back as 15 or 20 days ago, sent in a motion in proper form, but it was after the 11th which was the last date. So, so far as notice is concerned, sufficient notice has been given in his case, and it is not really like a short-notice amendment.

Mr. SPEAKER: I will consider that point.

Mr. Khwaja SHAHABUDDIN: Sir, I beg to move that in clause 3 (*2*), in proposed clause (*b*) of section 5, lines 1 and 2, for the words

"ten councillors to be appointed by the Provincial Government" the words "eight councillors to be appointed by the Provincial Government of whom three shall be members of the Scheduled Castes and the remainder shall be appointed" be substituted.

Mr. PUSPAJIT BARMA: Sir, I beg to move that in clause 3 (*2*) in proposed clause (*b*) of section 5, line 1, for the words "ten councillors", the words "six councillors" be substituted.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that in clause 3 (*2*), in line 1 of the proposed clause (*b*) of section 5, for the word "ten", the word "five" be substituted.

Mr. SURENDRA NATH BISWAS: Sir, I beg to move that in clause 3 (*2*), in the proposed clause (*b*) of section 5, line 1, for the word "ten", the word "three" be substituted.

Mr. SPEAKER: Mr. Hashemy, your motion No. 79 will be in order if (*b*) (*i*) and (*ii*) and proviso of clause 3 (*2*) are deleted.

Mr. SYED JALALUDDIN HASHEMY: All right, Sir, I am willing to delete that portion.

I beg to move that in clause 3 (*2*) in proposed clause (*b*) of section 5, sub-clauses (*i*) and (*ii*) and proviso be deleted and for the words "ten councillors "in line 1, the following be substituted, namely:—

"five councillors, experts in—

(1) food analysis,

(2) epidemic diseases,

(3) water analysis,

(4) drainage works, and

(5) electricity,"

Mr. RASIK LAL BISWAS: Sir, I beg to move that in clause 3 (*2*) for the proposed clause (*b*), the following clause be substituted, namely:—

"(*b*) two councillors to be appointed by the Provincial Government (1) to secure association in the municipal administration of the Chairman of the Calcutta Improvement Trust and one more person specially fitted in the opinion of the Provincial Government for appointment as councillor."

Mr. SANTOSH KUMAR BASU: Sir, I beg to move that in clause 3 (*2*), in the proposed clause (*b*) of section 5, in line 2, after the word "Government" the following words be added, namely:—

"if considered necessary, provided the Chairman of the Calcutta Improvement Trust will be a member *ex-officio*."

Mr. JATINDRA NATH BASU: Sir, I beg to move that in clause 3 (*2*), the proviso to the proposed clause (*b*) of section 5, be omitted.

Dr. NALINAKSHA SANYAL: May I move my short-notice amendment which is exactly the motion that stood in the name of Mrs. Hasina Murshed? I crave your permission, because we took it that she would move it, we did not give notice previously of a similar motion.

Mr. SPEAKER: Just wait for a minute. I will take your case later.

Mr. Khwaja SHAHABUDDIN: I beg to move that in clause 3 (*2*) in proposed clause (*b*) (*ii*) of section 5, line 2, the words "including backward classes" be omitted.

Mr. SPEAKER: One of the principles which I am inclined to follow is that in case of short-notice amendments whenever there is a notice in the agenda paper of any motion and the mover does not move it and it is, I think, fair, I should allow short-notice amendments in connection with that.

Dr. NALINAKSHA SANYAL: I move that in clause 3(*2*) of proposed clause (*b*) of section 5, namely:—

"Provided further that of the councillors to be appointed by the Provincial Government (I take out the number for the time being) at least three shall be women of whom one shall be a Muslim, one a Hindu and one Anglo-Indian."

I reserve my observations for the present.

Mr. SPEAKER: That will do. These are all the amendments so far as clause 3 is concerned.

Mr. JOGESH CHANDRA GUPTA: I move that in the amendment proposed by Mr. Khwaja Shahabuddin to clause 3 (*2*) of the Bill in

proposed clause (*b*) of section 5, the words "one councillor to be appointed by the Provincial Government who will be the Chairman of the Improvement Trust" be substituted in place of "eight" and the words from "to be appointed" be deleted.

Mr. Shahabuddin's amendment reads thus: "That in clause 3(2) in proposed clause (*b*) of section 5, lines 1 and 2, for the words "ten councillors to be appointed by the Provincial Government" the words "eight councillors to be appointed by the Provincial Government of whom three shall be members of the Scheduled Castes and the remainder shall be appointed" be substituted.

I say that for the word "eight" the words "one councillor to be appointed by the Provincial Government who will be the Chairman of the Improvement Trust" be substituted and the rest be deleted.

Mr. Khwaja SHAHABUDDIN: I may submit that I was under the impression that no further discussion you would allow and you suggested yesterday evening that you would put those motions which were moved and discussed straightaway to vote. I therefore respectfully submit that although this question of the fixation of nomination is in the same clause, the sub-clause stands on its own merits and clause (1), viz., whether the number of elected seats are going to be fixed is absolutely independent of the number fixed by nomination. And when you were going yesterday to put the motion to vote, a postponement was asked for and a definite assurance was given by the Opposition that no further discussion, no further tactics would be restored to to put off the division.

Dr. NALINAKSHA SANYAL: This is an insinuation against which we must protest.

Mr. Khwaja SHAHABUDDIN: As it was agreed that immediately after the questions were over, the first thing that would be done was to put these motions to division. I therefore respectfully submit that if any decision is arrived at on clause 3(*1*) it will be independent of any decision that the House may come to as regards sub-clause 3(*2*)(*b*). I submit according to your own decision and the understanding given to us the first thing to-day ought to be to put these motions to vote.

Mr. SPEAKER: I cannot understand what you exactly want me to do. Let me explain. The first point is that there are two sub-clauses—one sub-clause is about the total number and another sub-clause is about nomination. That is clear. Yesterday I took up independently the sub-clause providing for the total number and all the amendments except one on that sub-clause have been finished. There

is no motion before the House except the motion of Mr. Naskar, viz., to make the number 85 instead of 84. That being so, to-day when the debate began, there was a discussion as to whether the nomination is not an integral part of the total number and whether it should not be taken up after the nomination sub-clause was discussed. To that you agreed.

Mr. Khwaja SHAHABUDDIN: No, Sir. I submit, it was a misunderstanding on my part. I understood you to mean that you were going to put straightaway the amendments relating to nomination and then the amendments with regard to the elected seats.

Mr. SPEAKER: Did you understand that there would be no discussion on the nomination clauses and that they would only be moved and put to vote?

Mr. Khwaja SHAHABUDDIN: That is what I understood. I am not afraid of discussion. My reason for asking you to put those clauses to a division immediately is that we see the Opposition is adopting tactics to obstruct the passage of the Bill.

Mr. SPEAKER: If the Whip of Government or the Government wanted that sub-clause (*1*) should be put to vote immediately after the questions were finished, I would not have agreed to open a discussion. But having agreed to it (I am sorry you have misunderstood it; at least I understood that you had agreed to it although under a misunderstanding) I cannot stop discussion.

Mr. Khwaja SHAHABUDDIN: I would respectfully submit for your consideration that immediately before I gave my consent, I pressed for putting these motions to vote.

Mr. SPEAKER: Do not make any confusion. There is only one motion before the House relating to clause 1.

Mr. Khwaja SHAHABUDDIN: I requested you to put that motion to a division straightaway, but you asked me whether, as it was dependent on nomination, I would have any objection to putting the nomination sub-clause without any discussion. (Cries of "No! no!") The misunderstanding is due to the misuse of the words "without any discussion." That led me to believe that you wanted to have that sub-clause put to a division without any further discussion.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, may I draw the attention of the House to section 5 of the Calcutta Municipal Act as it

now stands. Section 5 defines the total number of councillors of the Calcutta Corporation which really consist of three sections (*a*) 76 elected councillors, (*b*) 10 councillors to be appointed by Government, and (*c*) 5 Aldermen. I submit that all these three are independent of one another. The motion therefore regarding the 77 elected councillors which in the Bill has been proposed to be 84 instead of 77 is independent of the number of nominated councillors and independent also of the number of Aldermen. Therefore I submit most respectfully that when you pointed out that the number 84 was dependent on nomination, it was not correct. Eighty-four represents the number of elected councillors of the total number in the House. The total number is made up three parts—elected councillors, nominated councillors and Aldermen—and we can decide the number of elected councillors independent of the others. Therefore, Sir, you can take a vote on the number of elected councillors independently of others. You can take a vote on the nominated members independent of Aldermen and you can take a vote on the Aldermen independent of the others. I submit, therefore, Sir, that you can as a matter of fact take votes on 84 or 85 as you like. But, Sir, there is nothing to prevent the question of the number of nominated councillors being decided undiscussed. I submit that the House should proceed to decide whether there shall be nominated councillors and, if so, how many, and other councillors have to be disposed as speedily as possible.

Mr. SARAT CHANDRA BOSE: I support the suggestion made by the Premier though for different reasons.

Mr. PUSPAJIT BARMA: Sir, the system of nomination is antinational and against the principles of democracy. Nomination has no room in the democratic form of Government. Nominated members are not the real representatives of the people as they have not really been returned by the electorates. They have very little touch with the people whom they represent. Moreover, in democratic Government the party in power or the parties in power form the Government and the Government generally increase the party power by nominating their own people. The nominated members also always seek the favour of the ruling Government as these persons have no touch with the people. The nominated members fear always to push the real wishes and demands of the people whom they represent.

But, Sir, if in the days of democracy, the Government think it proper that the nomination system should continue, I do not find any fair reasons for allotting "ten" seats for nomination in the Corporation of Calcutta.

Sir, before the new Amendment Bill there were "ten" seats for nomination in the Corporation and the reasons for it was that there

were some communities which could not have representatives in the Corporation due to defective electorate system. But in the new amendment Bill I find that the defective electorate system has been corrected. The minority communities such as Muslims and Anglo-Indians, the backward classes which are nowadays called Scheduled Castes and the Labourers have now been given in the Bill their respective share of representation by separate electorate system and joint electorate system to the Scheduled Caste Hindus. Even some communities have been favoured with more number of seats than they legitimately can get.

Sir, the Hindus including the Scheduled Castes who form 74 per cent. of the total population of Calcutta have been deprived of 16 seats in the case of a total number of 84 elected seats and 5 seats in the case of a total number of 70 elected seats according to the population. Sir, now by the short-notice amendment 3 seats more have been given to the general Hindus and 3 elected seats have been deducted from the legitimate number of 7 elected seats of the Scheduled Castes. Three more seats have been added to Hindu seats to make their number 42 from 39 at the cost of the legitimate elected seats of the Scheduled Castes. It is no doubt a most unkindest cut on the part of the Government to the Scheduled Castes. Not to speak of weightage even the 3 elected seats out of 7 have been deducted to satisfy the General Hindus. On one occasion an hon'ble member of the House asked me whether I knew politics. And I understand now what is politics. I also firmly believe that unfairness and dishonesty has no place in politics in the long run.

Sir, in the original copy of the new Amendment Bill there were 7 seats allotted for the Scheduled Castes in different territorial constituencies, but I find that by short-notice amendment 3 seats out of 7 seats have been deducted and given to the General Hindus. Three seats have been reserved for nomination for the Scheduled Castes. I do not find any fair and sane reasons for it. Does the Government think that the Scheduled Castes people are not fit to use their franchise properly? Sir, I think it most unfair, most unreasonable, most unscrupulous and most partial on the part of the Government to deprive the Scheduled Castes people of their legitimate power of using franchise—the birth-right of a man of democratic Government—and most disgraceful on the part of the Scheduled Castes people to be deprived of electing their own real representatives by the use of franchise—the birth-right of man. Does Government really think that the Scheduled Castes Hindus are not really fit to elect their own real representatives, or wants to give more seats to General Hindus at the cost of Scheduled Castes, or the Government has some motive behind it? I maintain the latter two views and I believe that every reasonable man without the least hesitation will join with my views.

Sir, Muslims have been given 4 seats as weightage, but, Sir, not a single seat has been given to the Scheduled Caste Hindus as weightage. Does the Government think that Scheduled Caste Hindus are educationally, economically and politically more advanced than the Mussalmans for which weightage has been given to them, or does the Government think that they are for a particular favoured community? Cannot the Scheduled Castes claim the weightage of seats in the same way and for the same reason as the Muslims claim? But alas, Sir, the reason always follows the reasonable man like a shadow.

Sir, every community of Calcutta except Scheduled Castes has fairly been represented by short-notice amendment. The Scheduled Castes' legitimate representatives by election have been deducted by it. Sir, when all the communities such as Muslims, Anglo-Indians, and Labourers have fairly been represented by election, I do not find any fair reason for keeping the former total number of nominated seats. Sir, I move that the number should be curtailed to 6 or 8, and 2 seats in case of 8 and 3 seats in case of 6 nominated seats, to be distributed to the Scheduled Castes Hindu territorial constituencies

Babu KSHETRA NATH SINCHA: Mr. Speaker, Sir, after a long time and after losing many things and chances, we have been allowed to take part in the deliberations here and to speak something on behalf of the community whose fate has been lying pending in the hands of so many guardians and well-wishers of our community. The things most vital to us in the Calcutta Municipal (Amendment) Bill are the status of the Scheduled Castes, and the privileges and advantages that are proposed to be given to that everneglected community. In connection with this measure, Sir, first of all a Bill was brought forward containing a provision of seven seats reserved for the Scheduled Castes on a joint electorate basis. Then, Sir, the members of the Scheduled Castes belonging to the Coalition Group, who were on the Select Committee, pressed Government that as they were opposed to the reservation of seats on a joint electorate basis, they must be given separate electorate which would be to their advantage. Even then, we did not utter a single word and relied on the Government and especially on the Hon'ble the Chief Minister that he would do some good to the community which would be of a lasting nature. But what has been done? By the present amendment, the proposal of my Scheduled Caste friends of the Coalition Group to have seats on the basis of separate electorate has been dropped. And then after that, by a freak of fortune, a new thing has been hatched overnight and brought forward at a moment's notice, on which now lies the fate of the whole lot of people in Calcutta belonging to the Scheduled Castes. Is this justice? Is this fair play? I ask my friends, what have you done for our community? We relied on your honesty, we relied on your sincerity of purpose, hoping that you will do something for us and raise us from the mire in which we

have been crawling. But whereas in the original Bill you had previously promised seven seats, you have, by overnight, brought out a proposal to reserve three seats only for the Scheduled Castes. The previous proposal to give seven territorial seats is now gone, and it is proposed to give something out of the nomination seats like crumbs from the rich man's table. We relied on the Coalition Ministry in the vain hope that they would give us something by which we would be able to stand on our own legs. I regret to say, Sir, that our efforts in going from door to door of the men in power have only resulted in wearing out our shoes and nothing else——

(At this stage, the House was adjourned for fifteen minutes.)

(After adjournment.)

Babu KSHETRA NATH SINGHA: My Scheduled Caste friends in the Coalition Group have been relying on your good faith that you will be helping our community which indeed requires help most, but this attitude of yours, this want of sincerity and good faith on your part——

Mr. SPEAKER: Mr. Singha, I would request you to address the Chair and nobody else.

Babu KSHETRA NATH SINGHA: I am sorry for my inadvertence, Sir.

The other day, in course of the Budget Session, the Hon'ble the Home Minister declared publicly in the Assembly that Government are willing to help the Scheduled Castes and Muslim communities generally in order to enable the present Ministry to run the Government, and my Coalition friends have always been complaining that we do not support the Government in running the administration. But why should we join with them, I ask? Sir, I speak on behalf of the majority of the Scheduled Caste members here and also of that community. We are quite willing to join hands with you, but on what condition? On the condition that we want to live and we want to have our just rights to live as human beings. But we, as a community, have simply been ignored in this very Bill. You all know that some of you at least did try your best to help us, but could not. Why could you not give us separate electorate and thus raise our status to that of yours? Why cannot you give us separate electorate to raise our standard and to raise our status? Why cannot you do that? If you accept the principle of separate electorate in local bodies, I can assure the Hon'ble the Chief Minister and the other Hon'ble Ministers in charge of the different portfolios that our party is willing to come to the side of the Government. Why are you afraid of giving us separate

electorate? Are you afraid of the Hindu community? If you are not afraid of the Hindu community, then why this amendment, this fresh amendment of Mr. Shahabuddin? You have raised the number of Hindu seats from something like 46 to 47 and by thus raising you have taken away 3 seats from our community and you have given them to nomination. Sir, my esteemed friend Mr. Puspajit Barma has said much about it. I am not going to enter into a discussion about democracy or aristocracy. We would have welcomed Mr. Fazlul Huq's Hitlerism or Mussolinism if he had given us some Benefit under this Bill, but he dared not support us as he was anxious not to displease the Hindu community. And in order to satisfy the Hindu community what have you done? You have increased their number at the cost of the Scheduled Castes. You have brought in a cleavage in the Hindu community. You have not also supported the claims of even the Muhammadan community. By thus influencing Hindu opinion, you have neglected the claims of the Muhammadans. You have not increased their status, and you have not brought them into a majority in the Corporation. Sir, I know the opinion of the Coalition Party members. They want this amendment in order that their position might be somewhat improved in the Corporation where at present they are more neglected than my community. Government have neither supported the claims of the Muhammadan community, nor cared to look to the interests of the Scheduled Castes. If you want to help us, then give us separate electorate. Our difficulties are everywhere. In the Corporation we cannot make any claims for our community; in the local bodies we are in the same position and grovelling in the dark and going from door to door to this community and to that community for help. We cannot stand on our legs. Is it not the duty of Government to help a community which cannot stand on its own legs? Let us have something to live upon. We want to exercise our rights, and we do not like to ask for any favours. We want to stand upon our rights which we have not got under the sun. By the Poona Pact we got 30 seats. By the Round Table Conferences, the Franchise Committees and the Instrument of Instructions the Scheduled Castes have been recognised as a separate communtiy from the general Hindus. Why is it so? Why have the Sceduled Castes been created a separate community? It has been created only for the purpose that they require the special attention of Government and special facilities and advantages. But Government are always ignoring our claims and are not prepared to help us.

Sir, under the circumstances I can say that in this short-notice amendment of Mr. Shahabuddin every right that was promised to the Scheduled Castes in the Bill has been taken away. You gave us 7 reserve seats with joint electorate. We have no objection to that because in that way we got 7 reserve seats and also one nominated seat.

We expected that at least 8 seats would be given to our community, but by this amendment this will not be done. May I ask under whose instructions and under whose orders this has been done? Sir, we are not willing to remain independent. Sir, I think it will not be proper on my part to say that someone in the Cabinet is responsible for this state of affairs, but I am not going to expose that man. The other day, Sir, I placed before the Hon'ble the Chief Minister and other Ministers our grievances and told them that we wanted such and such things. Sir, we may be on the Opposition side; we may be independent, but Government never consulted us in any emergency. We are not oppositionists; we are not like the Congressites in the Opposition on principle. We want justice and fair play. If we see that good faith and justice are being administered to us, we are willing to co-operate with Government. We are not by nature or birth oppositionists. It is the duty of Government to ascertain what are our grievances and what we really want and Government must do this with sincerity, kindness and sympathy. We expect this from Government and we want to be assured that Government is quite willing to redress the grievances of the Scheduled Castes——

(At this stage the member having reached the time-limit resumed his seat.)

Mr. RASIK LAL BISWAS:

সভাপতি মহাশয় এ সম্পর্কে আমার পূর্ববর্ত্তী বক্তারা যা বলে দিয়েছেন তার অনেক বিষয়ের সঙ্গে আমি একমত। Nomination সম্বন্ধে এখানে যে আলোচনা হয়েছে সেই সম্বন্ধেই আমি বল্‌ছি। আমরা সকলেই জানি যে Nomination representation নয়। Nomination হলো একজনের অনুগ্রহের দান এবং যে ব্যক্তি অনুগ্রহ করে দেবেন আর যে ব্যক্তি সে অনুগ্রহ লাভ কোরবেন সেই অনুগ্রহ লাভকারীকে অনুগ্রহকারীর ইচ্ছা অনুসারে, মতলব অনুসারে চলা ভিন্ন গত্যন্তর থাকে না। পরেও যাতে সেই অনুগ্রহ পাওয়া যেতে পারে তার পথ পরিষ্কার রাখার জন্য অনুগৃহীতকে অনুগ্রহকারীর মন যোগাতে হয়। এই হলো Nomination এর নীতি। কাজেই এই বিলে যে ১০ জন member nomination জন্য রাখা হয়েছে—এরকম একটা Civil body তে, এর কোন প্রয়োজন আছে বোলে আমি মনে করি না। তবে গভর্ণমেণ্ট যদি তাঁদের নিজের কোন প্রতিনিধি পাঠাতে চান তাহলে এরকম রাখা চল্‌তে পারে। সকলেই জানে Corporation জনসাধারণের, সেখানে জনসাধারণের নির্ব্বাচিত ব্যক্তিরাই থাক্‌বে। গভর্ণমেণ্টের কোন নিজের লোক পাঠানোর দরকার সেখানে নাই। কারণ জনসাধারণের প্রতিনিধিদের লইয়া গঠিত যে গভর্ণমেণ্ট তাহার কোন পৃথক প্রতিনিধিত্ব জনসাধারণের বাহিরে থাকিতে পারে না। এই Nomination এর মধ্যে আবার Scheduled Castes থেকে তিন জনকে Nomination এর ব্যবস্থা করা হয়েছে। যদি Scheduled Castes থেকে প্রচুর representation এর ব্যবস্থা থাকতো তা হলে এবিষয়ে ততটা আপত্তি করতাম না। কিন্তু দেখা যাচ্ছে আগে বিলে Scheduled Castes এর ৭ জন Councillor এর election এর ব্যবস্থা করা হয়েছিল। কিন্তু তা থেকে তিন জনকে কেটে nomination দ্বারা সেই তিন জনকে সেখানে পাঠাবার চেষ্টা চল্‌ছে। ইহাতে স্পষ্ট বুঝা যাচ্ছে গভর্ণমেণ্ট Scheduled Caste এর প্রতি আদৌ সহানুভূতিসম্পন্ন নন। তারা Scheduled Caste এর নানারূপে যেমন মফঃস্বলে নানা দিকে নির্য্যাতিত করেন

এবং নানাভাবে বঞ্চিত ও প্রতারিত কোরে আসছেন এই Corporation এর ব্যাপারেও সেই নীতিটি তারা অনুসরণ করে চলেছেন। নইলে প্রথমে ৭ জনের ব্যবস্থা করে সেটাকে কমিয়ে ৪ জন করবার কি কারণ থাকতে পারে তা আমরা বুঝে উঠতে পারিনি। কাজেই গভর্ণমেণ্টের যে নীতি তাহা যে অত্যন্ত ঘৃণিত ও আপত্তিজনক সেকথা আমরা সকলেই প্রাণে প্রাণে অনুভব কোরছি। আমরা এ পর্য্যন্ত অনেক জায়গায় Nomination এর ব্যবস্থা যা দেখেছি তাতে এইটাই উপলব্ধি করেছি যে অধিকাংশ স্থলেই Nomination এর দ্বারা নিযুক্ত ব্যক্তি দলাদলি সৃষ্টি ও নানাবিধ অপকর্ম্ম দ্বারা নিজের স্বার্থ রক্ষা ছাড়া ভাল কাজ বিশেষ কিছুই করে না। গত Reform enquiry র সময় Scheduled Caste এর তরফ থেকে nomination এর তীব্র প্রতিবাদ সমস্ত ভারতবর্ষ থেকে করা হয়। এই Council এ যে সমস্ত member আছেন তার মধ্যে প্রতিবাদকারী অনেক member আছেন এবং Cabinet এও Scheduled Caste এর কোন কোন member আছেন যাঁরা nomination এর তীব্র প্রতিবাদ Reform enquiry র সামনে করেছিলেন। আমরা জানি nomination এর দ্বারা কখনো উপযুক্ত ব্যক্তি কোন প্রতিষ্ঠানে যান না। যারা নির্ব্বাচনে পরাজিত হন অথবা জনসাধারণের অপ্রিয় বলিয়া নির্ব্বাচনের প্রার্থী হইতে সাহস পান না সেসকল ব্যক্তিই নমিনেশন পাইয়া থাকেন। আজকে election এর জায়গায় যে nomination করা হয়েছে এর একটা গূঢ় উদ্দেশ্য আছে। সেটা হচ্ছে এই যে কোন নির্দ্দিষ্ট পরিবার থেকে কোন কোন লোককে কলকাতা Corporation এ যাহাতে লওয়া যেতে না পারে। অনুন্নত সম্প্রদায়ের সেই বিশিষ্ট পরিবারের বিশিষ্ট বিশিষ্ট লোককে সেখানে পাঠাবার জন্যেই nomination এর ব্যবস্থা হচ্ছে। Select Committee তেও অনুন্নত জাতির প্রতিনিধ nomination চান নাই। এখন যে এরূপ ব্যবস্থা হচ্ছে তার গূঢ় রহস্য বুঝা শক্ত নয়। এতে করে অনুন্নত জাতির স্বার্থ রক্ষার কোন ব্যবস্থা হচ্ছে না, কারণ যে সমস্ত ব্যক্তি nomination এর দ্বারা যাবেন তাদের দ্বারা এ পর্য্যন্ত কোন জায়গায় কোন স্থলে অনুন্নত শ্রেণীর স্বার্থ রক্ষা হয় নাই। অতএব ভবিষ্যতেও যে হবে সে আশাও করা যায় না। এইজন্য আমি সমস্ত nomination এর এবং বিশেষ করে অনুন্নত শ্রেণীর জন্য election এর পরিবর্ত্তে nomination ব্যবস্থার তীব্র প্রতিবাদ করছি। আমরা যে Amendment এখানে পেশ করেছি তার মধ্যে মাত্র দুই জনের nomination এর ব্যবস্থা রেখেছি এবং সেই দুই জনের একজন হচ্ছেন Improvement Trust এর Chairman। Improvement Trust এর Chairman এর Corporation এ থাকা উচিত এই বিবেচনা করে তাকে Government এর পক্ষ থেকে nominate করে পাঠানোর যে ব্যবস্থা সেটা উচিত ব্যবস্থা। তারপরে যদি এমন কোন বিশেষজ্ঞ বা বিজ্ঞ লোক থাকেন যিনি সর্ব্ব বিষয়ে অভিজ্ঞ ও কৌশলী ব্যক্তি তাহলে তাকেও Corporation এ বিশেষ বিশেষজ্ঞভাবে nominate করে গভর্ণমেণ্ট পাঠাতে পারেন। ১০০ জনের মধ্যে একজন যেরূপই হউন না কেন তাতে কোন ক্ষতি হবে না। সেইজন্য মাত্র দুটি ব্যক্তিকে সুপারিশ করা হয়েছে। আর যে ছয় জনের nomination এর ব্যবস্থা করা হয়েছে সেটা শুধু জাতীয়তার দিক দিয়াই নয় সকল দিক দিয়াই আপত্তিকর। এই সকল ব্যক্তিরা গভর্ণমেণ্টের হাতের পুতুল হয়ে জনসাধারণের স্বার্থের ক্ষতি করবে, Corporation এ দলাদলি ও কলহ সৃষ্টি করবে এবং Corporation support করবে। তাদের ভোটের কখনো কোন দরকার হবে না। তারা nominated হয়ে আসতে পারেন বলে যে ব্যক্তিরা তাদের nominate করবেন তাদের যদি সন্তুষ্ট করতে পারেন তাহলে পুনরায় Corporation এর nomination পাওয়ার কোন বাঁধা হবে না। জনসাধারণের কাছে যাদের দায়িত্ব কিছু নাই, জনসাধারণের ভোট চেয়ে নেবার কোন যোগ্যতা নাই এবং জনসাধারণের বিশ্বাস যাদের উপর নাই বরাবরি এই রকমের

ব্যক্তি Government nomination পেয়েছেন এবং ভবিষ্যতেও পাবেন। সুতরাং যেখানে সমস্ত interest থেকেই special election এর ব্যবস্থা হয়েছে সেখানে আবার কয়েকটা nomination করবার কি প্রয়োজন থাকতে পারে? এই nomination এ শুধু যে অনুন্নত শ্রেণীর থেকে আপত্তি করা হয়েছে শুধু তা নয়, আমরা জানি মুসলমান সম্প্রদায় থেকেও আপত্তি করা হয়েছে। মুসলমান সম্প্রদায়ের অনেক সভ্য এখানে যে সকল বে-সরকারী আইনের খসরা পেশ করেছেন তাতে Municipality, District Board Local Board প্রভৃতি থেকে nomination প্রথা তুলে দিতে চেয়েছেন। সমস্ত প্রতিষ্ঠানই যাতে ভালভাবে চলতে পারে তার জন্য জনসাধারণের প্রতিনিধি হিসাবে দায়িত্বশীল সভ্যগণ সাধারণ প্রতিষ্ঠান প্রভৃতিতে গিয়ে যাতে তাদের কর্ত্তব্য পালন করতে পারে সেই সকল member কে সেখানে যেতে দিতে হবে। আমি যে দুই জন nominated member এর কথা বলেছি তারাও না থাকলেই ভাল, কিন্তু যদি প্রয়োজনই হয় তাহলে Improvement Trust এর Chairman ও expert .—বিশেষজ্ঞ যাওয়ার যদি প্রয়োজনই হয় তাহলে না হয় যাবেন সেজন্য representation এর জায়গায় nomination এর যে ব্যবস্থা Scheduled Caste এর জন্য হয়েছে সেই ব্যবস্থাটা তাদের ধোকা দেবার জন্য, তাদের অপমান করবার জন্য অবলম্বন করা হয়েছে। সমস্ত সম্প্রদায়কে নির্ব্বাচন করে প্রতিনিধি পাঠাবার ক্ষমতা দেবার পর অনুন্নত শ্রেণীর থেকে সে অধিকারকে খর্ব্ব করবার যে ব্যবস্থা সেটা অত্যন্ত অপমানজনক। এবং আমি সেই সম্প্রদায়ভুক্ত বলে গভর্ণমেন্টের এই ব্যবস্থায় নিজেকে অত্যন্ত অপমানিত বোধ করছি। আমি আশা করি এই House এর যাঁরা অনুন্নত সম্প্রদায়ের লোক আছেন তাঁরা এর প্রতিবাদ করবেন। এও জানি যে দু চার জন এমন লোকও আছেন যারা এই nomination দ্বারা অতি সহজেই কলিকাতা Corporation এ যেতে পারবেন বলে আশান্বিত হয়েছেন, কিন্তু তাদের বিচারের আর বেশী দেরী নাই। তাদের বিচার সামনেই আসছে। Cabinet এ অনুন্নত সম্প্রদায় থেকে যে সমস্ত member আছেন তাদের বলছি বিলে প্রথমে যেখানে ৭ জন member এর ব্যবস্থা হয়েছিল, নির্ব্বাচিত হয়ে যাওয়ায় তার জায়গায় ৪ জন করা হয়েছে কি করে। Caste হিন্দু member যারা Cabinet এ আছেন তারা চেষ্টা করে তাদের member এর সংখ্যা ৩৯ থেকে ৪৪এ বৃদ্ধি করতে পেরেছেন সেখানে অনুন্নত সম্প্রদায়ের member যারা তারা তাদের নিজেদের সম্প্রদায়ের ভাগে যতটা পাওয়া যাচ্ছিল তা থেকেও কম নিতে যখন রাজি হয়েছেন এই থেকেই প্রমানিত হচ্ছে তাদের যোগ্যতা কতটুকু। সুতরাং অনুন্নত শ্রেণীর স্বার্থ রক্ষা করবার জন্য তাদের প্রতি কতখানি নির্ভর করা যায় তা সকলেই অনুমান করতে পারেন।

Mr. SURENDRA NATH BISWAS: Sir, I rise to speak in support of my amendment that instead of 10 councillors, only three be nominated. Sir, before I proceed to speak on the merits of my amendment, I would draw the attention of the members of this House to Mr. Suhabuddin's amendment which professes to give the majority of seats to the majority community. In fact by his amendment that object has not been achieved. I do not know whether the move on the part of the Government Chief Whip in reducing the number of nominated seats from 10 to 8 is to please the Hon'ble Hindu Ministers of the Cabinet. If that is so, and if the Hon'ble Hindu Ministers of the Cabinet have expressed their satisfaction, then I submit that they have been deceived.

Sir, what is the implication of Mr. Shahabuddin's amendment? We find that the number of general seats have been raised from 46 to 47; but the Muhammadan seats are 22, European seats 12, Labour seats 2, Anglo-Indian seats 2 and nominated seats 8. These latter seats are going to the parties who are in favour of the present Government. So I may say that Government will control 46 seats as against 47 seats of the General constituency. Then again, everybody knows that out of these 47 seats which have been allotted to the general constituency, at least two seats have all the time been occupied by two Jews of Calcutta. These two Jew gentlemen have always been found to support the Government whenever Government needed their support. Now, out of these 47 seats if two go out, then the majority community gets only 45 and the Government control 48 seats. That being the position, the Hon'ble the Hindu Ministers in the Cabinet should realise that they have been deceived.

Now, as regards my amendment, it is meant to reduce the number of nominated seats from 10 to 3. My first contention is that by nomination Government want to strengthen their hands, which we cannot and should not allow Government to do. Sir, I would not have protested vehemently against nomination to-night had I not known that in the minds of Government there are measures to curtail further the powers of the Calcutta Corporation and thus of the Congress. In order to do so Government from now are strengthening their hands and for that purpose they want the majority of the members of the Corporation to support them against the Congress. That is the reason why I vehemently protest against nomination.

Secondly, Sir, the method of nomination has outlived its utility. Almost every member of this House has given his opinion that he is now opposed to nomination on principle. As far as I have been able to gather, the views presented by many of the members from all sides of the House I find that they have asked Government to delete nomination altogether. If that is the opinion of almost all the members of this House, I do not find any reason why the popular Government should not abolish nomination from local bodies, to start with from the Calcutta Corporation. Then, Sir, everybody knows and as my friends, the previous speakers, have pointed out for sometime past nomination is throwing open the door of nepotism and favouritism, and I should add corruption. That is the main ground for which the members of this House have been objecting to the continuance of the system of nomination and urging its abolition. If that is the opinion of the majority of the members of this House, I submit that Government should respect that opinion and abolish nomination. But I am afraid Government will not do that, because their motive is bad. May I ask the Hon'ble the Minister in charge of this Bill to say clearly whether it is not a fact that by amending this Bill Government do not really

desire to benefit the Mussalmans, but their real intention is to deprive the Congress-influenced Calcutta Corporation of some of their powers? If he says "no," I should ask him to explain to the members of this House how Government will benefit the minorities by giving them reserved seats and also by abolishing joint electorates for the Muslims and reserving seats for the Scheduled Castes. If he cannot explain clearly that this Bill will improve the condition of the Mussalmans or of the Scheduled Castes, then the charge against Government remains that they have brought in this Bill only to curtail the powers of the Corporation. If that is so, I think the members, whether they sit to my opposite or to my left, would think over the matter and decide whether they would allow this so-called popular Government to adopt measures to curtail the powers of a local body like the Calcutta Corporation. If the members of the Coalition Party allow this Government to curtail the powers of the Calcutta Corporation, what arguments will they put forward when some measures will come up to curtail the powers of the local self-government and of the village self-government? If they do not like such measures to be adopted in the local bodies and also in the municipalities, then they should also support us when we claim that the powers of the Calcutta Corporation should not be curtailed. If, however, they want to save the prestige of Government for the present, let them vote for my amendment which aims at reduction of the nominated seats to three.

Mr. SIBNATH BANERJEE: Previous speakers have already raised their voice of protest against nomination, and I need not say much against nomination on principile. I find in the Bill that there is a provision to the effect that one labour representative is to be nominated. The only ground, if at all, that can be adduced for nomination is backwardness. If any community cannot elect its own representatives to voice its demands, then a case may be made out for nomination, but that argument falls to the ground when the question of labour comes. Labour does not suffer from lack of consciousness as will be amply testified to by all the vested interests in this House. Whatever little representation labour has got, they have shown that they are quite conscious and they can voice their demands quite effectively. I feel that they have found out in this House that labour, when they are given the right to elect their own representative, form a formidable power though they are only 6 or 7 in this big house of 250.

In the Calcutta Corporation it will be very difficult to control them if according to their suggestion two labour representatives come, and as a counterpoise one is nominated by Government, so that in case of necessity the interests of the two may be crossed against each other.

What do we find in the Calcutta Corporation? From time immemorial we find Mr. K. C. Roy Chowdhuri nominated as a labour

representative and his worthy lieutenant Maulvi Latafat Hossain. These very gentlemen stood from Labour constituency in this House. They were defeated, but thanks to the patronage of this Government they found their place, should I say, in the fossilized Upper House. This is the intention of Government; they want to play some mischief, some trick over again. This Municipal Bill requires many changes from the point of view of labour. Take for instance the electricity company. They are making profit amounting to lakhs and lakhs of rupees. If all the labourers living in Calcutta had votes, this electricity company would long ago have been municipalised and the huge amount of profit that is going to the pockets of a few capitalists (foreigners or Indians I don't mind) would have been the property of the citizens of Calcutta. Similarly, there is the telephone company. The rate of this company is the highest in India. This sort of thing would for the same reason have been impossible and before long this also would have been municipalized. There are also the tramway company and the gas company. All these public utility services should be municipalised making no distinction between the European capitalists and the Indian capitalists. As things stand, the European capitalists control the biggest firms and draw biggest profits from the electricity company, gas company, tramway company and others, and for this I feel that from the point of view of labour, the one thing that is necessary is to extend the vote and even if there be no special constituency for labour, labour will not mind in the least. Labour will be very glad if only the right of vote is extended. Then only and only then, we shall be able to send the real representatives of the people, of the citizens of Calcutta, to the municipality and all these communal bickerings, the representation of Scheduled Castes and Europeans, this representation and that representation, all these troubles and all these quarrels will be over, if only in one direction the Municipal Bill is amended, that is, by extending the franchise. But to expect that from this Government is absolutely idle. We know that though the Premier speaks, or rather used to speak, of *dal bhat* for the common people, it has already been forgotten and even in this House, very few people like us care to remind him of his promise; others feel that it is absolutely useless. Mr. Speaker, Sir, on behalf of labour, I strongly demand that the Bill, if it is at all to be changed, should be changed in the direction of extending the franchise, and then there will be no necessity for any special constituency for labour, far less any necessity for nominated labour seats. I have already stated that I want an extension of franchise and I want to justify why I want adult franchise. Here I have often heard it said that it is not on a population basis that the vote should be cast. This objection I have heard from almost all sides of the House, but I want to raise my voice of protest against that. I strongly hold that all those who live in Calcutta, irrespective of their wealth, have a right, and should have a right, to vote. Let us take,

for instance, again the case of the electricity company. The company might have invested some money, but the workers who are working in that company are producing the wealth by their labour, as a result of which profit is accruing, and therefore if the owners of the company have a right to vote, certainly the workers also have the same right to vote. Similarly with the tramway company and other companies, whose workers live in the city within the jurisdiction of the Calcutta Municipality. I would go further and say that it is common knowledge to us that very many poor people have not found a place to sleep. Of course, in this heat it is not so very bad to sleep on the footpath, but in the winter or in the rainy season if the Premier were to go round the streets he would find thousands sleeping on the footpaths! All those people whose wages would not allow them to hire a house, I think, should also have a right to vote. Then only the Calcutta Corporation will think of the problem of the unemployed. In Bombay I think two years back they spent a sum of Rs. 6 lakhs in giving relief to the unemployed, but in Calcutta we have not heard anything like that. On behalf of all those who live in the footpaths, on behalf of all those who are forced to sleep on the footpaths, I want to put forward the claim that they should also be given the right to vote. Then only all these troubles will be over and the necessity for not only nomination but the division of seats as between different communities, castes, groups and sections will vanish. Therefore, I again strongly urge that if the Bill is to be changed, let all these amendments be scrapped altogether and a new amendment be brought forward under which every adult living in Calcutta should have a vote, a free vote, so that they can elect their own representatives.

Mr. K. NOORUDDIN: Sir, I beg to move that the question be now put.

Mr. SYED JALALUDDIN HASHEMY: We have our amendments to move, and I hope you will give us an opportunity to do the same.

Mr. SPEAKER: I think I will not be misunderstood, but I feel that if I can get an idea from the Opposition as to the total number of days within which it will be possible to finish the whole Bill, then I can adjust. Further, all sides will get an idea as to how many days it will take to get the Bill through. In that case some sort of adjustment may be possible.

Dr. NALINAKSHA SANYAL: I should personally think so far as the other details are concerned that it will be possible to finish all the amendments in the course of another three sittings.

Mr. JOGESH CHANDRA GUPTA: I agree.

Mr. SPEAKER: In view of the decision of the majority, I may say that it has been my experience that it is better whenever any important contentious Bill is under consideration to know beforehand between ourselves as to how many days we are to take. If you leave me to adjust, then I can certainly adjust according to the importance of the amendments.

Mr. Khwaja SHAHABUDDIN: Over this Bill we have already taken four times more time than is necessary.

Mr. SURENDRA NATH BISWAS: Your Government have taken more time.

Mr. Khwaja SHAHABUDDIN: I suggest that Government have taken no more time than is necessary. I also feel that it should not take us more than one day to get this Bill through. One more word I want to submit in this connection and that is this. As far as the important clause 3 is concerned two days' discussions have taken place over it, and therefore once this clause goes through, I don't see where any contentious matter remains, and I think one more day will be sufficient.

Mr. SPEAKER: May I bring it to the notice of the Chief Minister particularly and also the Government Whip that if there is not an agreement on this point then I would be absolutely helpless, and I hope it would be realized as to what the consequence will be. I am prepared if the members on my right want to go by it. The consequence will be this. Take the next clause. There are about 20 amendments. Under the rules every member is entitled to speak for 15 minutes, and I have absolutely no power to suspend it. That is the difficulty.

Khan Bahadur MOHAMMED ALI: Suspend the rules.

Mr. SPEAKER: There is no suspension power in this House for the time being, unless the rules and regulations are changed and powers are vested in me. In any case since there is not much difference between 2 and 3 days, I am suggesting this course. After all, kindly remember what is meant by 3 days. We meet at 4-45 and we have our questions till 5-45. If we leave 15 minutes for prayer, we have 2 hours a day for this Bill. If we have discussion for 3 days it means 6 hours. Even now at this stage one day will not matter much, and I would appeal to both sides to agree to my suggestion to finish this Bill in three days.

Mr. SANTOSH KUMAR BASU: I hope my friends on the opposite will not be unreasonable.

Mr. SPEAKER: I am only pointing out the consequence of the absence of an agreement.

Mr. Khwaja SHAHABUDDIN: With all humility I want to submit that as far as the members on this side are concerned they cannot be intimidated by the Opposition that if we do not agree to a certain proposition, they will prolong the business of the House unnecessarily. We are quite prepared to meet any situation that may arise.

Mr. SPEAKER: We have Thursday, Friday and Saturday, and on Saturday we might begin early.

Dr. NALINAKSHA SANYAL: You, Sir, gave a ruling the other day that it is only for the Budget Session there would be sittings on Saturdays.

Khan Bahadur MOHAMMED ALI: I suggest that we finish the discussion by Saturday.

Mr. SPEAKER: I can certainly suggest that we finish the discussion by Friday if the House so wishes. After all, I have calculated 6 hours' discussion. It would be possible to finish it if we could have three hours' discussion each day.

Mr. SIBNATH BANERJEE: Government spent 2 days for nothing.

Mr. SPEAKER: If you have any objection to Saturday, I suggest that we may finish the business by Friday by sitting for six hours. If you can do so, I have no objection.

Mr. SHAMSUDDIN AHMED: But Government spent two days for nothing, Sir.

Mr. SPEAKER: I have asked the Hon'ble Nawab Bahadur of Dacca and the Hon'ble the Chief Minister to come to a settlement. In the meantime, I allow five minutes to Mr. Hashemy to conclude his speech.

Mr. SYED JALALUDDIN HASHEMY: Mr. Speaker, Sir, I have chosen to speak through this microphone for the simple reason that if with the help of this machine I can raise the volume of my voice, it may have some effect on Government. It is no use dilating on the merits or demerits of the system of nomination; it is no use discussing what principle is involved in the system of nomination. Sir, the machine has again failed, and I am helpless. (Pause.) The machine is again working. (Laughter.) (The Hon'ble Mr. A. K. FAZLUL HUQ: স্যার, বাধুন না। (Mr. JOGESH CHANDRA GUPTA: Sir, the Chief Minister has asked Mr. Hashemy to stop.) Sir, when Government is bent upon maintaining the system of nomination, I appeal to them to see and judge matters from a broader angle of vision. Mr. Shahabuddin has accepted a reduction in the number of nominated members and I have suggested a further reduction of three members. I hope, Sir, Mr. Shahabuddin will be prepared to accept my amendment. I have also suggested that apart from the election of five Aldermen by the Corporation, five experts should be taken in the interests of the good administration of the Corporation.

Further, Sir, all the minority communities barring women have been represented in the Corporation, and I submit that by ignoring the claims of the womenfolk, Government have ignored one of the most important principles of representation.

Another matter which I want to press before Government is the question of the supply of pure and unadulterated food. And with that end in view, I have suggested that an expert in food analysis should be taken in, so that he can materially help the Corporation by his advice on the question of the supply of pure and unadulterated food. For the last few years, Government have been nominating lawyers only and even this year out of the ten nominated members there is not a single medical man, not a single engineer and not a single technical expert. Sir, so far as Calcutta's food problem is concerned, although it is one which vitally affects the people, Government have not thought it to be their duty to amend the Act relating to food adulteration so that it can be put into operation in a more effective way than at present after amending its most defective sections. On the other hand, he has come forward to suggest that eight members should be nominated out of which three will be reserved for the Scheduled Castes.

For some years past, Calcutta has been a victim to epidemic diseases which have been visiting the city regularly year after year, and when an epidemic breaks out, people become absolutely helpless. So, it is necessary that an expert in epidemic diseases should be taken in in the interests of the city's health. I have, therefore, suggested that, out of the five, a second expert should be selected for this purpose.

Then, Sir, I have suggested the taking in of a third expert in the matter of water-supply. The question of water-supply is one of the most vital problems of this city, especially in the hot weather when water becomes easily contaminated and spreads water-borne epidemic diseases.

I have also suggested the taking in of an engineer who is an expert in underground drainage works. It is no use adding lawyers to an already overwhelmingly large number of lawyer members of the Corporation. By nomination, Government ought to see that they get the services of such persons whose advice in various lines may materially help the cause of good municipal administration of the city for the real benefit of its citizens.

Lastly, Sir, I have suggested that an expert in electricity should also be taken in. The Electrical Adviser to the Government of Bengal has not up till now given any advice to the Government for the benefit of the poor rate-payers of Calcutta. Therefore, it is necessary that one expert in electricity should be taken in.

As regards the selection of these experts, I do not suggest that one should be a Hindu, another a Muslim, and a third a Scheduled Caste. These experts should be selected irrespective of the question of their caste, creed or colour. In all I have suggested the selection of five experts who should be nominated solely in the best civic interests of this city.

Sir, when there is a provision for the election of five Aldermen by the Councillors as five elders from amongst the citizens of Calcutta whose mature experience and good counsel may be a guidance to the Corporation, it is quite unnecessary to have eight more persons nominated to that body. Therefore, Sir, this amendment of mine is so useful and urgent that I hope Government would be prepared to accept it.

Sir, so far as the Muslims of Calcutta are concerned, although they are a minority community, I am glad to say that on one point I can agree with the Hon'ble Minister in charge of the Bill that no weightage has been given to them. On the other hand, the weightage that might have been claimed by them has been given to the other minority communities including the Scheduled Castes. Some of my friends have remarked that weightage has been given to the Muslim community; I deny it, Sir; they have got 22 seats without any weightage whatsoever. There is no mention of that in the motion of Mr. K. Shahabuddin. Even now there is time for Government, particularly for the Hon'ble Minister in charge of the Bill, to correct the mistake. In the interest of the Muslim community itself, the Mussalmans should have more seats. They should at least get three seats from the nominated

seats. If my suggestion is accepted, it will partly safeguard the interests of the Moslem community. Sir, as I have already stated——

(At this stage the member having reached the time-limit resumed his seat.)

Dr. NALINAKSHA SANYAL: Sir, shall we be allowed to speak?

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not think that it will be necessary for any member to speak, because I feel that what I shall say will satisfy the whole House.

I have consulted the leaders of the various groups (DR. NALINAKSHA SANYAL: Except the Congress). But I know the Congress view, and therefore I have not consulted the leader of the Congress Group. I have been authorised to announce that it is the feeling in the House that the Bill should be finished this week, and in order to expedite the business our friends of the European Group are also prepared to sit for an extra half-hour, and in that way we expect to finish the Bill by Thursday or Friday. If that is not possible, we may have a short sitting on Saturday.

Mr. SPEAKER: We ought to finish the Bill with six hours' discussion on Thursday and Friday.

The Hon'ble Mr. A. K. FAZLUL HUQ: If we can finish the Bill in six hours on Thursday and Friday without sitting for an extra half-hour, so much the better. In any case, the Bill must be finished by this week.

Mr. SYED JALALUDDIN HASHEMY: Sir, is not Thursday a holiday?

Mr. SPEAKER: No. I think that with six hours' discussion on Thursday and Friday we shall be able to finish the Bill.

Dr. NALINAKSHA SANYAL: Shall we have to be under the guardianship of the Chief Minister in this matter?

Mr. SPEAKER: No. He is only asking whether it will be acceptable to the Congress Group.

Mr. TULSI CHANDRA GOSWAMI: Mr. Speaker, Sir, I entirely repudiate the Hon'ble the Chief Minister's remark that he consulted the leaders of all the groups.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I did not consult my friends on the opposite, because I knew that they would agree to three days' discussion as you have suggested.

Dr. NALINAKSHA SANYAL: How could you know it?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am sorry, Sir. If that is not a fact, I am to blame and I stand corrected.

Mr. TULSI CHANDRA GOSWAMI: Sir, I am very sorry to contradict the Chief Minister. He has suggested that the leaders of all the groups have been consulted. On behalf of our party, I wish to say most emphatically that a Bill of this nature must take its own course, and we cannot fix a time-table in advance. It will be an outrage on the citizens of Calcutta and on the public of Bengal to rush this Bill, this very contentious Bill, in the way it is sought to be done. The Hon'ble the Chief Minister has suggested that anyhow the Bill must be gone through this week. This is a suggestion, Sir, which I did not expect from him, because it is one of the most contentious Bills that we have before us this session, and I venture to say on behalf of my party that we would greatly resent any attempt to rush this Bill through the Legislature. I do not care what commitments the Chief Minister may have given to his constituency or to his constituents. I am not concerned with the Coalition Party politics. I am concerned here to see that a Bill of this nature should go through its normal course, and that there should be no attempt to frustrate the rights of honourable members of this House in the matter of discussing this Bill.

Mr. SPEAKER: In that case, the Hon'ble the Chief Minister's suggestion falls through.

Mr. TULSI CHANDRA GOSWAMI: That has to.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, will you consider the proposal to have after-dinner sittings, if that is the attitude of the Opposition?

Mr. SANTOSH KUMAR BASU: Sir, with regard to the Hon'ble the Home Minister's remark, namely, "if that is the attitude of the Opposition," may remind him of the way in which they have treated us with regard to this Bill? We were told some days previously that there would be after-dinner sittings until this Bill was finished, and some of them suggested that we might go out if we did not care to attend and they would proceed with the Bill in our absence. That was the

threat held out; that was the attitude taken up by Government. Shortly afterwards, on the very next day, we were presented with a cut-and-dried proposal that the whole thing should be dropped or postponed, because they had their own internal disputes to settle. Now that they have been successful in settling their disputes for the time being to their own satisfaction, they are anxious to rush through this Bill, and they want to do so in the course of a day or two whatever happens and however inconvenient it may be to us. And when we protest, they say that it is obstructionist tactics. I say, Sir, that it does not now lie in the mouth of the Coalition Party or Government to accuse the Opposition with any kind of obstructionist tactics in view of the attitude they have taken up in utter disregard of the convenience of the Opposition. Instead of proceeding with the normal course of business with regard to this Bill, at one moment they want to rush through the Bill and at another moment they say that they are not going to take up the Bill just now as they have to settle their own disputes. I submit, Sir, that the normal course ought to be adopted and these short time-tables ought not to find favour with you.

Mr. SPEAKER: In that case, let us proceed with the amendments.

Dr. NALINAKSHA SANYAL: Sir, I beg to support the motion of my esteemed friend Mr. Jalaluddin Hashemy——

Khan Bahadur MOHAMMED ALI: Sir, I beg to move that the closure be now put.

Mr. SPEAKER: If you move a closure motion now, I cannot take notice of it. After Dr Sanyal finishes his speech, you are entitled to rise again and move a closure.

Khan Bahadur MOHAMMED ALI: Sir, is not a member of this House entitled to move a closure motion at any stage?

Mr. SPEAKER: Yes, but not in the midst of a speech.

Dr. NALINAKSHA SANYAL: Sir, ——

Mr. SHAMSUDDIN AHMED: May I rise on a point of order, Sir?

Mr. SPEAKER: Yes.

Mr. SHAMSUDDIN AHMED: You yourself said when honourable members moved the amendments standing in their names that they will have an opportunity to speak, and on that assurance of yours, Sir, no discussion took place, and no mover spoke on those amendments. Therefore, Sir, would it be fair on the part of the Coalition Party to say now——

Mr. SPEAKER: I will decide this point later on.

Yes, Dr. Sanyal, you can now proceed with your speech.

Mr. M. A. H. ISPAHANI: Sir, before Dr. Sanyal begins, may I say a few words?

Mr. SPEAKER: Not now, but after Dr. Sanyal finishes his speech. He was on his legs already.

Dr. NALINAKSHA SANYAL: Sir, I had on a previous occasion, namely, yesterday, made it perfectly clear that, so far as we on this side of the House are concerned, we are no admirers of the system of nomination. And yet when we find that there are some groups of people—and probably they are in the majority—who are insisting on the retention of nomination, it is only meet and proper that we should make it as inoffensive as possible. I explained yesterday that in a democratic organization there cannot be any place for nomination. And yet there may be occasions when, through election and the turmoils of election, sometimes experts and specialists may not be available for the service of the Corporation. There may be a concession made in regard to nomination if only there is an assurance that such nomination will be exercised only in the interests of the Corporation and in the interests of finding out experts who would be available for the services of the affairs of the Corporation and not certainly with a view to permit the political party in power, namely, the Government, to have their henchmen in the group of nominated councillors under various kinds of patronage. So far, Sir, we have found that nominations have gone more for the fact that the nominated councillors tried, rightly or wrongly, always to support the view-points of Government. Nominated councillors in the Corporation have functioned more as the watch-dogs of Government than as real servants of the rate-payers. These evils can, to some extent, be mitigated if the suggestion of my esteemed friend, Mr. Jalaluddin Hashemy, is accepted.

Sir, in the administration of the Corporation, there is a real need of experts in different directions. We have, at the present moment, under the constitution of the Corporation, provision for some associate members in the district committees. The provision of these

associate members has been with a view as far as practicable, to get associated with the district standing committees, such members who might be of special help to the districts in regard to some special matters. But unfortunately there also the original purpose of permitting these associate members to come and help in the deliberations of the district committees has not been served properly. As a result, we have found persons of different kinds of political views scrambling for membership of such district committees irrespective of how far these members could contribute properly to the expert work which was expected of them. In the Primary Education Committee, there is a provision for three associate members. We have also seen that in several other *ad hoc* committees, the Corporation had to appoint, from time to time, experts or persons with special knowledge from outside. We have had, for example, one of the committees that was asked to arrange for the proper housing of and other amenities for "harijans", that is the so-called untouchables. In that committee, the Corporation sought the help of some outstanding men of public service who were known to be devoting their lives in the services of the harijans. In fact, some of them in the Corporation had also to seek the help of expert outsiders from time to time for specific investigations. That being the case, I do not know why there should be any objection to having certain specified experts in the group of nominated members. If the system of nomination at all has got to be permitted, the only wise course that this House can take is to limit the nomination to certain specified experts. Now, Sir, Mr. Hashemy mentioned 5 experts. The number of experts that he has enumerated may be contested. There may be friends who might think that experts on water-supply or water analysis and on food analysis may be combined: food and water analysis may be successfully done by the same expert who is a chemist both for food analysis as well as for water analysis. But instead of that there may be another expert taken—expert in education, for example. One of the most important functions that the Corporation is now performing for the citizens of Calcutta is primary education for the children of Calcutta and increasingly they are providing for free primary education for the children of the citizens. That being so, probably there may be some adjustments made. I argue that whatever may be the ultimate outcome of this motion, Government having either accepted the motion as it is or having accepted the spirit of the motion might certainly concede a great service to the citizens of Calcutta, if they promise to confine their nominations only to experts. Mr. Hashemy's proposition has got two-fold aspects: it has got two important bearings. On the one hand, he wants to limit the number of nomination from eight, as at present proposed by the Chief Whip of the Coalition Party to five, and, on the other, his suggestion is that, of these five, each one of them must be an expert in some direction or other. These are the two vital issues raised by Mr. Hashemy. I submit that there can be no two opinions on these.

So far as the reduction in the number is concerned, even the supporters of Government have realised the justice of the claim for reduction in the number. Probably, they had their own difficulties in going further down in the number: from ten they have come down to eight and if they would take a little bit more time on this, probably they would find some kind of justice in the figure that my friend, Mr. Hashemy, has proposed. The other equally important issue raised by Mr. Hashemy is the question of experts. I submit that even apart from the question of number, the Hon'ble Minister in charge, in his reply, may examine the question of experts being nominated or his nominations being confined to experts alone. Let us have a definite and straight reply to these two different issues—issue No. 1 being about number and issue No. 2 about experts. I submit, Sir, that the Corporation of Calcutta does need the services of experts. One of the most difficult problems of democratic organisation is, Sir, as you know, how best to adjust the democratic electorate with the problems of certain properly qualified experts being secured to represent the electorate. In the Houses of Parliament often discussions have been held in some directions—discussions that have not been conducted with an expert knowledge. In our own House here we have found on many occasions that discussions are conducted not so much with a view to contribute the expert knowledge of the subjects under discussion, but, more or less, with a view to find out how far the votes of the different groups or parties may be arranged in connection with the motion. This is certainly not a very healthy procedure for running an administration which is mainly concerned with the civic amenities of the people. I submit that where there is no difference of opinion politically as between a member and member, there is no harm if we depend on the administration being conducted on the advice of experts. As we are now situated, we are all aware how difficult it is to get the experts to seek election and how much more difficult it is to get those experts elected by an electorate who may value the other qualities of a man except expert quality. That being the position, we may probably like to have experts nominated by Government. I think, Sir, so far as Mr. Jalaluddin Hashemy's motion is concerned, the proposal is for five different experts, though we may think of other experts also. But I am not going beyond the scope of this motion. I am only putting it to the Hon'ble the Minister in charge and the Coalition Party if they in their wisdom are not going to allow the city of Calcutta to be conducted on the advice of experts. Are they only going to permit everything to be conducted by the councillors and Aldermen with or without sufficient amount of expert advice from amongst members who are entitled to have their votes in their own way and in the same manner and with full authority as other members? So far as the meaning of experts is concerned, there may be some amount of difference of opinion. It is quite possible that some members would like to have an explanation thereof. I leave it to the good sense

of Government to find out the meaning of experts. Of course, Government will not nominate one simply because they would like to have a party man and mark him as an expert. We must wait and see how things develop.

(Several members of the Congress Party stood in their seats and wanted to speak on their respective amendments.)

Mr. JOGESH CHANDRA GUPTA: May I not get an opportunity to speak on my amendment?

Mr. SPEAKER: Order, order.

Mr. JOGESH CHANDRA GUPTA: When I moved my amendment, you were pleased to assure us that the movers of the amendments would be allowed to speak. On that assurance we did not insist upon speaking on our amendments then and there.

Mr. SPEAKER: I cannot help it now. I hope that Mr. J. C. Gupta will agree with me that so far as this section is concerned, I am helpless, but I will try my best to arrange things otherwise so far as other sections are concerned.

Mr. JOGESH CHANDRA GUPTA: May I make my submission, Sir?

Mr. SPEAKER: Yes.

Mr. JOGESH CHANDRA GUPTA: We had a right when we moved our amendments to speak on them, but as you desired that the amendments should be moved in order to enable you to understand the whole situation and then some one of the amendments should be put to vote, we agreed to that on the distinct assurance from the Chair that those who are moving the amendments would be allowed to speak on them. I submit, Sir, that if the Speaker having said so now deprives us of our right to speak, it would be putting the Speaker in a very awkward position. We always must rely upon the assurance given by the Chair and if that assurance is withheld at a later stage, our position would be very difficult. This is a very important matter. In my opinion the House has expressed its opinion that on such an important matter if we are not allowed to speak, you will be depriving us of a very valuable right.

Mr. SPEAKER: I quite understand it.

Mr. JOGESH CHANDRA GUPTA: Having regard to your distinct assurance that the movers will be allowed to speak, at least they should be allowed to do so.

Mr. SPEAKER: I quite understand it. But so far——

Point of order.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. I would just draw your attention to Section 48 of the Rules and Standing Orders relating to closure. This rule states that when any motion is under discussion, any member may move that the question be now put and unless it appears to the Speaker that the request is an abuse of the rules of the Assembly or an infringement of the rights of reasonable debate, the question that the question be now put shall be put forthwith. So you are not necessarily bound to accept any request for the closure of a motion. This is issue No. 1.

The second issue to which I would like to draw your attention is that even when a closure motion is admitted by you, it will relate only to the motion before the House, that is to say, the motion of Mr. Jalaluddin Hashemy about five experts in different subjects being nominated, etc. The motion before the House is this amending motion and not the clause as a whole. The clause as a whole has never been moved. We have got other motions also. That being so, I cannot understand why there is this difficulty. So far as you are concerned, I submit that you will kindly read the rules and as you have been always fairly interpreting the rules to the benefit of reasonable debate, you will permit us to make such interpretation on this occasion also. If at all a motion be taken up and closed, it will be the motion of Mr. Jalaluddin Hashemy; other motions stand. We shall have discussion on them. On each and every one of them reasonable debate will have to be permitted. You have yourself assured us that reasonable debate will be allowed. Not merely the movers of the amendments will be allowed to speak but speeches from the members of all sections of the House should also be allowed if they want to speak on this motion. There can be no rule to prevent us from exercising our rights of speech and of reasonable debate. If this is done, it will be contrary to the provisions of the Government of India Act itself. Under the circumstances, I would only request you to give your ruling very carefully, as you have always done, particularly on this motion.

Mr. SPEAKER: In view of the fact that we have been following quite a different method, viz., that we are discussing all the amendments together, I hope that Mr. Jogesh Chandra Gupta, and

Mr. Santosh Kumar Basu who are constantly pressing this matter will realise that so far as this clause of the Bill is concerned we are taking all the amendments together. But in view of the development which has taken place, I must say that so far as the later stage of the Bill is concerned, I will have no other alternative but to take one amendment after another. (A VOICE: Why not in connection with this clause?) I have got no power. The proper course now is to see whether there has been a sufficient debate on this clause. May I know how long you will take to finish the discussion—half-an-hour or three-fourths of an hour?

Mr. JOGESH CHANDRA GUPTA: Some of the amendments have not been moved; others have been moved. We accommodated to that extent. If we wanted to deal with all the amendments, they would have been moved

Mr. SPEAKER: I thank the House for the reasonable mood. How long do you think the discussion of this clause will take?

Mr. JOGESH CHANDRA GUPTA: We will try and see that the movers are short.

Mr. SPEAKER: Will it do if the movers are given five minutes each?

Mr. JOGESH CHANDRA GUPTA: That will depend upon them. Give them ten minutes, but they will try to be as brief as possible.

Dr. NALINAKSHA SANYAL: Fifteen minutes each.

Mr. SANTOSH KUMAR BASU: I will speak for ten minutes.

Mr. DHIRENDRA NATH DATTA: I have got one motion and I want to speak on that.

Mr. JOGESH CHANDRA GUPTA: I shall take 10 minutes instead of 15.

Mr. SANTOSH KUMAR BASU: I have put forward a definite suggestion which I want to back up.

Mr. SPEAKER: I think all the other movers have spoken except Mr. Jogesh Chandra Gupta, Mr. Dhirendra Nath Datta and Mr. Santosh Kumar Basu.

Dr. NALINAKSHA SANYAL: I have not spoken on my motion.

Mr. SPEAKER: Yes; you have spoken. I appeal to Mr. Gupta not to raise any legal point at this stage so far as this clause is concerned. I appeal to all the sections of the House also. I assume that the entire section had been discussed. The members who have spoken have spoken not on a particular amendment but on the whole clause. I am quite prepared to allow Mr. J. C. Gupta, Mr. Santosh Kumar Basu and Mr. Dhirendra Nath Datta to speak.

Dr. NALINAKSHA SANYAL: Why should not I have a chance of speaking on my amendment? The proceedings will show that I wanted to speak on my motion.

Mr. SPEAKER: I cannot help it now. It is no use speaking on this. The House by consent was proceeding with the section as a whole, and the entire debate was conducted accordingly. So far as this section is concerned I am helpless, and I hope Dr. Sanyal will kindly consider this. But so far as other sections are concerned, I will be quite willing to consider the point of view you have raised.

Dr. NALINAKSHA SANYAL: May I make this suggestion as a sort of compromise? I don't want to drag on the discussion unnecessarily. In this particular case on Mr. Hashemy's motion we have had discussion. In addition, let us have only the movers of particular motions and let them have 10 minutes each.

Mr. SPEAKER: That is what I am saying. Only Mr. J. C. Gupta, Mr. Santosh Kumar Basu and Mr. Dhirendra Nath Datta have not spoken. Others have spoken.

Mr. SYED JALALUDDIN HASHEMY: I have not spoken.

Dr. NALINAKSHA SANYAL: I have not moved my amendment.

Mr. SPEAKER: I could not help it.

Mr. ATUL KRISHNA GHOSE: Sir, may I draw your attention to amendment No. 88 which stands in my name? May I know why you are depriving me of my right of speech?

Mr. SPEAKER: Order, order. Mr. J. C. Gupta.

Mr. JOGESH CHANDRA GUPTA: Mr. Speaker, Sir, we claim that this House is democratic and progressive in its outlook. This House has almost unanimously indicated its opinion on the question of nomination in favour of its abolition. I will remind the House that

resolutions have been tabled from all sections in this House, Bills have been introduced from both sides of the House, urging the abolition of nomination. It may also be remembered that in connection with the cut motion, if I remember aright, sponsored by the Hon'ble Maulvi Tamizuddin Khan, there was a solemn assurance from the Treasury Benches that nomination was not liked by the Government, that they were considering the question of abolition of nomination and that Government were in favour of abolishing nomination. I know that Maulvi Nausher Ali categorically said that nomination was not liked by the Ministers, and I think that the Hon'ble Nawab Habibullah Bahadur of Dacca also said that nomination was embarassing. Truly it is embarrassing. It is not only undemocratic, but it is embarrassing to those in whose hands the power of nomination is vested and nobody unless for some ulterior motives would like to keep the power of nomination in his hands. That being so, the Treasury Benches having unequivocally committed themselves to the abolition of nomination in local bodies, I fail to see why they have incorporated a provision for nomination in this Bill. Further, the Statement of Objects and Reasons of the Calcutta Municipal Amendment Bill clearly states that the Government are proceeding on the basis or on the analogy of the Government of India Act and says that it is considered that the claim of labour for adequate representation in the Corporation can no longer be ignored and on the analogy of the Government of India Act, 1935, provision has been accordingly made in the Bill for the constitution of a separate labour electorate. That is categorically stated here. But in spite of the fact that the Bill proceeds on the analogy of the provisions of the Government of India Act which have abolished nomination for all time to come, we find that this Bill incorporates provisions about nomination. The apprehensions in the minds of members that nomination will surely lead to abuse have now become an established fact. What do we find? Seven seats were reserved for the Scheduled Castes members under the joint electorate, but they have transferred out of that number some seats to be filled by nomination because the only idea is that if the power of nomination is kept in the hands of Ministers there will be some demoralising effect. Some people can be secured to support anything that the Government may do. As I have already indicated to you, the House having categorically indicated its opinion, what justification is there to maintain nomination in this Bill. Would the Treasury Benches admit that this Bill is a retrograde measure? They don't say so. They say that they want to improve and therefore there is absolutely no reason to maintain nomination under such circumstances. I hope that this House will accept my amendment. I have provided for one seat to be filled by nomination in this Bill. Would the Treasury Benches admit that this Trust. The Chairman of the Improvement Trust has got an intimate touch with civic works in the City of Calcutta and therefore he will

be a member of the Corporation by nomination. There is absolutely no necessity, having provided for separate election of labour and Anglo-Indians, to retain nomination. I also ought to mention in this connection—my friends will correct me if I am wrong—I think the Coalition Party through the Chief Minister is committed to the abolition of nomination, and I am sure that the Hon'ble Maulvi Tamizuddin Khan and Mr. Shamsuddin will bear me out that that was one of the conditions which the Chief Minister after consultation with the Coalition Party agreed upon when these two gentlemen joined the Treasury Benches.

Mr. SHAMSUDDIN AHMED: The whole Cabinet accepted it.

Mr. JOGESH CHANDRA GUPTA: Now how can they go back upon all these commitments of theirs? The continuity of policy is the anchor sheet of responsible Government. I want to know from the Treasury Benches what they have got to say to this.

The Hon'ble Mr. H. S. SUHRAWARDY: We learnt it from the Congress.

Mr. SANTOSH KUMAR BASU: Why not learn the other things from the Congress?

Mr. JOGESH CHANDRA GUPTA: I know that when they are in a tight corner and when they cannot justify their action, they put forward some excuse. No policy ever indicated by the Working Committee of the Congress has ever been flouted in the past or will be flouted in the future. I am glad that the Treasury Benches have no hesitation in saying that they are acting inconsistently and that they justify their inconsistent action by pointing out some other organisation. I say that the Treasury Benches owe an explanation to this House. Why should they go back upon the assurance given during the cut motion? Why should they go back upon the assurance that they gave when Maulvi Tamizuddin Khan and Maulvi Shamsuddin joined the Cabinet. I am sure that the Hon'ble Maulvi Tamizuddin Khan will either bear me out or contradict me if I am wrong. I hope that the Hon'ble Chief Minister will now take the House into his confidence and tell us how he could say that nomination would be abolished, how he could accept on behalf of the Cabinet that nomination would be abolished, when he wanted to take in some members from the Opposition and strengthen his party when in actual practice in the Calcutta Municipal Amendment Bill he takes recourse to nomination in order to have a makeshift arrangement.

Mr. RASIK LAL BISWAS: On a point of information, Sir.

Sir, Chief Minister কে address করে অনেক কথা বলা হচ্ছে, কিন্তু তিনি যদি তার কিছুই না শুনেন তাহলে কি করে চলে।

Mr. JOGESH CHANDRA GUPTA: Sir, I want the Hon'ble the Chief Minister to explain to this House as to how he and his Cabinet can be a party to the provision of nomination after having agreed on behalf of the Cabinet to abolish nomination when the Hon'ble Mr. Tamizuddin Khan and Mr. Shamsuddin Ahmed were invited to join the Cabinet. Are we to understand, are the members of the House to understand, that the assurances then given by the Hon'ble the Chief Minister were only made in order to break them? It would be a deplorable position indeed if we could not depend upon the assurances given from responsible quarters, and I should like to know from the Hon'ble the Chief Minister whether he intends to stick to those assurances, whether he intends to stick to the principle enunciated by him and his colleagues here before and whether he intends to act up to the resolution passed in this House in connection with the abolition of the system of nomination. I shall be satisfied if a consistent reply is given to me; if a consistent reply is not available, the only other alternative is to accept with grace the amendment that I have moved, namely, to reduce the number of nomination to one and make provision thereby for the Chairman of the Calcutta Improvement Trust.

Mr. SPEAKER: Mr. Dhirendra Nath Datta, I give you five minutes to speak.

Dr. NALINAKSHA SANYAL: May I know, Sir, how can you put a time-limit on the discussion of a Bill?

Mr. SPEAKER: I have once before appealed to the House to help me in drawing the proceedings to a close as soon as possible after a fair debate.

Dr. NALINAKSHA SANYAL: We are also appealing to you, Sir, with equal vigour to help us in having a fair debate on a most important Bill like this.

Mr. SPEAKER: If you want to stick to the letter of the law, I will also have to follow the letter of the law.

Dr. NALINAKSHA SANYAL: But you are a judge, Sir.

Mr. SPEAKER: In that case I propose to allot five minutes to Mr. Dhirendra Nath Datta, and then ten minutes to Mr. Santosh Kumar Basu.

Mr. RASIK LAL BISWAS: How long are we going to sit to-night, Sir?

Mr. SPEAKER: If there is an agreement on the question of the period of time to be devoted to this measure, everything can be done smoothly. I am not referring to the rights, but I appeal to you that if there is an agreement you can finish the debate without any difficulty, in three days, with two hours' sitting each day, if need be.

Dr. NALINAKSHA SANYAL: I submit, Sir, it is not a matter for agreement on the question of hours, but it is one for agreement on the provisions of the Bill.

Mr. SPEAKER: I am still suggesting to the House that for the smooth passage of this Bill it is desirable that we should proceed in a manner befitting the position of this House. Let there be an opposition, let there be criticism, but I suggest still now that in case we do not propose to meet on Saturday, we may meet on Thursday, Friday and Monday, provided Government have no objection. If the Opposition will give me an assurance that they will help me in finishing this measure by Monday next, I may ask Government to carry on the debate till Monday.

Mr. SARAT CHANDRA BOSE: I do not quite follow what exactly is the assurance you mean?

Mr. SPEAKER: All I say is that if it is possible, we may finish the discussion of the Bill by Monday.

Mr. SARAT CHANDRA BOSE: It is possible in a certain way and quite impossible in another way.

Mr. SPEAKER: In that view, the only alternative for me is to postpone the discussion of sub-clause (*2*) to-day and to have it next day. But it naturally means that as discussion has taken place on clause (*1*) and there has been an amendment before the House, I shall put that amendment now and close the debate for to-day. That does not, of course, mean that the entire clause may be rejected.

Dr. NALINAKSHA SANYAL: Without any reference to any discussion, Sir, I submit that we had yesterday a large number of motions moved, some having figures of 100, 98, 99 and so forth, and that, therefore, you will put the most exclusive one first.

Mr. SPEAKER: Order, please. I have to finish sub-clause (*1*).

Mr. SARAT CHANDRA BOSE: Am I right in saying that this afternoon you said that you would first put the question of nomination to the vote and then come to sub-clause (*1*)? That is the impression I gathered.

Mr. SPEAKER: That was a wrong view.

The motion of Mr. Hem Chandra Nasker that in clause 3(*1*), line 2, for the word "eighty-four" the word "eighty-five" be substituted was then put and agreed to.

Adjournment.

The House was then adjourned till 4-45 p.m. on Thursday the 4th May, 1939, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 4th May, 1939, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 11 Hon'ble Ministers and 215 members.

STARRED QUESTIONS

(to which oral answers were given)

Certain nominated commissioners of the Rangpur Municipality.

***412. Mr. JATINDRA NATH CHAKRABARTY:** (*a*) Is the Hon'ble Minister in charge of the Local Self-Government and Industries Department aware that two gentlemen who were defeated at the general election of commissioners for the Rangpur Municipality have been nominated as commissioners of the said Municipal body?

(*b*) Is the Hon'ble Minister aware that his predecessor Maulvi Syed Nausher Ali declared on the floor of this House that candidates defeated in the general election should not be nominated to local bodies?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) what are the special reasons, if any, for the action as referred to in (*a*);

(*ii*) whether there has since been a change of Government policy; and

(*iii*) whether Government contemplate discontinuance of the practice?

MINISTER in charge of the LOCAL SELF-GOVERNMENT and INDUSTRIES DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (*a*) Yes.

(*b*) While replying to certain supplementary questions asked in the Assembly, the late Hon'ble Minister, Mr. Syed Nausher Ali, stated that there was no bar to the appointment of a defeated candidate but that personally he was not in favour of appointing such candidates.

(*c*) (*i*) These two gentlemen were considered very suitable for appointment.

(*ii*) No: Government have not adopted any policy of rigidly excluding from nomination all persons defeated at a general election.

(*iii*) The question does not arise.

Mr. JATINDRA NATH CHAKRABARTY: With reference to answer (*c*) (*i*), will the Hon'ble Minister be pleased to state what special qualifications these two gentlemen have for which they are considered to be very suitable.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I cannot say anything offhand

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state whether any enquiry was made with respect to their suitability?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Most certainly.

Mr. RASIK LAL BISWAS: Will the Hon'ble Minister be pleased to state whether in his opinion the suitability of these two gentlemen lies in the fact that they were defeated in the election? (THE HON'BLE MR. TAMIZUDDIN KHAN: It may be noted, Sir, that the honourable member has put the question in English.) (Laughter.)

Mr. SPEAKER: That question hardly arises.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to enlighten us about the suitability and qualifications—how he was satisfied on this point and how could he embody the reply to the question in the way it has been done? If he does not know anything about suitability of the candidates, then how is it——

Mr. SPEAKER: You have got first of all to ask who is the final authority. After that you can put that question.

Mr. NISHITHA NATH KUNDU: All right, Sir. Will the Hon'ble Minister be pleased to state who is the final authority as regards these nominations?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Government, Sir.

Mr. NISHITHA NATH KUNDU: How could Government come to know that they were suitable and reply in this way if Government cannot enlighten us about the qualifications and suitability?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Generally, local officers recommend to Government such gentlemen as are suitable for these appointments, and Government generally accept their recommendations.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister please enlighten us if local officers, while submitting their recommendations, mention only the names of the candidates or their suitability and qualifications also?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: They also mention the qualifications.

Babu NARENDRA NARAYAN CHAKRACARTY: মাননীয় মন্ত্রী মহাশয় কি অনুগ্রহ করে জানাতে পারেন স্থানীয় রাজ কর্ম্মচারীর অনুগ্রহভাজন ব্যক্তিরাই এই রকম nomination পেয়ে থাকেন?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, I cannot understand this high flown Bengali.

Babu NARENDRA NARAYAN CHAKRABARTY: মাননীয় মন্ত্রী মহাশয় অনুগ্রহ করে কি জানাবেন রংপুর জেলার স্থানীয় কর্ম্মচারীদের যাঁরাই মনোনয়ন লাভ করেছেন তাঁরা সেখানকার রাজ কর্ম্মচারীদের বিশেষ অনুগ্রহভাজন ব্যক্তি ছিলেন?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, the honourable member may know better than me. I cannot say anything.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government have issued any instructions or laid down any principle or rules for the guidance of local officers in selecting the candidates to be appointed?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, those instructions are confidential.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if local officers who have got no instructions for their guidance follow any general principle in the matter of nomination and, if so, what is it, or whether they do it without following any principle?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: There must be some general principles for nomination.

Dr. NALINAKSHA SANYAL: What are those general principles?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Their suitability for appointment.

Dr. NALINAKSHA SANYAL: What are the grounds of suitability?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I want notice, Sir.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state if it is a fact that recommendations of local officers are generally accepted by Government?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Generally, they are accepted, but sometimes they are not.

Mr. NISHITHA NATH KUNDU: In view of the answer just now given, namely, that local officers, while sending recommendations, mention their suitability and qualifications, will it be possible for the Hon'ble Minister to enlighten us as to the qualifications of these two defeated candidates?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I cannot say off-hand. I want notice.

Mr. NIKUNJA BEHARI MAITI: Will the Hon'ble Minister be pleased to state if abolition of the system of nomination is under the contemplation of Government?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the popular Government of Bengal (THE HON'BLE MR. H. S. SUHRAWARDY: Hear, hear!) is considering the desirability

of refraining from nominating such persons who have been proved to be unpopular through failure in elections? (THE HON'BLE KHWAJA SIR NAZIMUDDIN: That does not follow).

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I am not in a position to answer that.

Measures for reviving cottage industries.

***413. Mr. BIRENDRA KISHORE RAY CHOUDHURY:** Will the Hon'ble Minister in charge of the Industries Department be pleased to state what steps, if any, have been taken since after 1937, for imparting industrial education on—

(*a*) supplying cheap power;

(*b*) improved tools and implements;

(*c*) knowledge of market conditions; and

(*d*) marketing facilities, for the purpose of reviving cottage industries?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) The question of the supply of cheap power is under investigation by a Special Officer employed under the Commerce and Labour Department. The matter is also under consideration of the Industrial Survey Committee recently set up. No steps for imparting education in this direction can be taken before the investigations are complete.

(*b*) There are a number of demonstration parties such as for weaving, pottery, brass and bell-metal articles, cutlery, soap-making, tanning, sericulture, etc., which *inter alia* impart industrial education in the use of improved tools and implements. The Bengal Textile Institute at Serampore, the Bengal Tanning Institute, the Government Technical Schools at Barisal, Bogra, Rangpur, and Pabna, the Peddie Reeling Institute at Malda, the Silk Weaving Schools at Berhampore and Piasbari and the 26 Peripatetic Weaving Schools also impart industrial education *inter alia* in improved tools and implements. The Power Loom Weaving Section of the Bengal Textile Institute, Serampore, was extended last year and a jute plant is going to be installed in the same institute this year. The reorganisation of the Bengal Tanning Institute was sanctioned and the necessary additional buildings for the purpose constructed last year and the necessary additional staff is being appointed this year. The Berhampore Silk Weaving School is being developed and reorganised into a well-equipped Silk Technological Institute this year. Out of the 26 Peripatetic Weaving Schools the 8 permanent ones were reorganised last year whereas the 16 temporary

schools are going to be reorganised this year. All the 5 weaving demonstration parties are being reorganised this year under the nomenclature of "Textile Demonstration Parties" so that each of these parties will now demonstrate weaving, dyeing and printing on efficient lines.

(*c*) and (*d*) There is a Marketing and Publicity Officer under the department for improvement of market conditions and marketing facilities for cottage industries and educating the people thereon. The post of this officer has been made permanent this year. I have recently established an Industrial and Commercial Museum and also a Moving Exhibition for the purpose of educating the people on marketing conditions and facilities. I have also under consideration a scheme for the establishment of agencies for the bulking of the products of cottage and small-scale industries and their marketing at places where there is a demand for such products so as to secure better profits for such industries.

Expenditure by the Bogra District Board for exhibitions and purchase of stud bulls.

***414. Mr. MANMATHA NATH ROY:** (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware that the Commissioner of the Rajshahi Division has refused to sanction some expenditure incurred by the Bogra District Board in connection with grants to exhibitions and purchase of stud bulls?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons why sanction was not accorded by the Divisional Commissioner?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) The Commissioner has not refused sanction to any expenditure of this nature.

(*b*) Does not arise.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if it is a fact that at the instigation of the then District Magistrate, the Commissioner refused to sanction this expenditure and said that the amount should be realised from the person responsible for the expenditure?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I am not aware of it.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if he is aware that the Chairman of the District Board had to write to the Commissioner and then subsequently the amount was sanctioned?

Mr. SPEAKER: I think, Khan Bahadur Mohammed Ali himself will answer this question.

Hardship caused to Calcutta tenants on account of the expiry of the Calcutta Rent Act.

***415. Mr. ATUL KRISHNA GHOSE:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether his attention has been drawn to the position of the Calcutta tenants since the expiry of the Calcutta Rent Act?

(*b*) Is the Hon'ble Minister aware—

(*i*) that majority of the tenants are tenants-at-will and have to vacate the premises they occupy on 15 days' notice ending with a month; and

(*ii*) that such ejectment as is referred to in (*i*) has been causing dislocation of business of shopkeepers and small business-men and hardship to tenants of small means?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state whether Government contemplate any steps in the matter?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) No.

(*b*) Government have no information.

(*c*) The question does not arise.

Mr. ATUL KRISHNA GHOSE: With reference to answer (*b*), will the Hon'ble Minister be pleased to state if he means that the tenants are not required to vacate on 15 days' notice?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: What I mean to say is that I have got no information on the subject.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state if he had the time to consult an ordinary lawyer on this point?

Mr. SPEAKER: If it is a legal question, then it is not for him to answer.

Babu NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state if Government had any information regarding this matter when the Calcutta Rent Act was first enacted?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I am not aware of it.

Mr. SYED JALALUDDIN HASHEMY: In view of the hardship caused to the tenants, will the Hon'ble Minister be pleased to consider the desirability of amending the Calcutta Rent Act?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I shall enquire into this matter, and if I find that there is real hardship, I shall bring up a proposal to redress it.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state if he is aware that when the Calcutta Rent Act was in force, landlords could not eject tenants by giving such notice?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I am not aware of it.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state if he is aware that the change has caused hardship when landlords can eject tenants by giving a notice like this?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I am not aware of it.

Mr. ATUL KRISHNA GHOSE: Now that the Hon'ble Minister is aware of the fact that owing to the abolition of the Calcutta Rent Act, tenants are being put to hardship, will the Hon'ble Minister consider the desirability of providing an Act to remove it?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have already answered that question.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state if he is aware that a non-official Bill like the Calcutta Tenancy Bill of 1939 has been introduced in this House?

Mr. SPEAKER: It does not arise.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state if he would consider the desirability of going through the Calcutta Tenancy Bill introduced by non-official members of this House and see if there is any feasible way of taking some provisions out of it?

Mr. SPEAKER: That question does not arise.

Mr. RASIK LAL BISWAS: মন্ত্রী মহাশয় এ বিষয়ের কোন কিছু খোঁজই রাখেন না। দয়া করে তিনি কি কলিকাতায় tenant যাঁরা ভাড়া দিয়ে থাকেন তাঁদের দুঃখ দূর করবেন?

Mr. SPEAKER: He has already answered that question.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state if he is aware that after getting 15 days' notice, if the tenants do not vacate their premises, the landlords force them either to pay enhanced rent or to vacate the premises?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I am not aware of it. I will now go into this question since it has been brought to my notice.

Supersession of claims of senior Muslim clerks for promotion in Faridpur Civil Court.

***416. Maulvi AZHAR ALI:** (*a*) Will the Hon'ble Minister in charge of the Judicial Department be pleased to lay on the table a statement showing for the present time in respect of the Civil Courts in Faridpur district—

(*i*) the total number of posts in the grades of—

(1) Rs. 175—275,

(2) Rs. 175—250,

(3) Rs. 130—170,

(4) Rs. 80—140, and

(5) Rs. 70—130;

(*ii*) how many of them are held by Mussalmans and members of Scheduled Castes separately; and

(*iii*) how many of them are held by non-Matrics?

(*b*) Is the Hon'ble Minister aware that in supersession of senior Muslim clerks, promotions have been given in three posts of the clerks in the grade of Rs. 80 to 140, and one post in the grade of Rs. 130 to 170?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons thereof?

MINISTER in charge of the JUDICIAL DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur): (*a*) A statement is laid on the table.

(*b*) Yes, in three appointments in the grade of Rs. 80—140. There is no such grade as Rs. 130—170.

(*c*) Appointments in the Upper Division are made in accordance with merit and special fitness and unless other considerations are equal seniority is to be disregarded. Appointments in the Upper Division of clerks in the Faridpur Judgeship were made in accordance with the principle

A reference is also invited to answer to starred question No. 209, by Mr. Md. Abul Fazal given on the 21st September, 1937, at the Bengal Legislative Assembly (*vide* pages 1691-92—Bengal Legislative Assembly Proceedings, Second Session, 1937, Volume LI—No. 4). There has been no change since then.

Statement referred to in the answer to clause (a) of starred question No. 416.

STATEMENT.

(*i*)	(*ii*)		(*iii*)
	Held by Mussalman.	Held by Scheduled Castes.	
1. One	Nil	Nil	3
2. There is no such grade ..	Nil	Nil	
3. Ditto	Nil	Nil	
4. Five	Nil	1	
5. None	Nil	Nil	

Mr. ABDUL WAHAB KHAN: With reference to (*c*), will the Hon'ble Minister be pleased to state if he is aware that the bogey of merit and special fitness is raised in order to suppress the legitimate claims of Muslim clerks for promotion to the Upper Division?

Mr. SPEAKER: That is too general a question. You have to ask a specific supplementary question arising out of the original question.

Maulvi AZHAR ALI: With reference to answers (*b*) and (*c*), will the Hon'ble Minister be pleased to state the outstanding merits of the clerks who superseded the claims of the Muslim clerks?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I know there is a general complaint by the Muslim members of this House that District Judges are not honest in doing their work when they actually appoint people in the Upper Grade. There are Hindu Judges, there are Muslim Judges and there are European Judges—all these people are working on certain principles. Take the case of Faridpur. The Judges were mostly Europeans. All these people were working on certain principles. In the case of Faridpur I know there was a European Judge for some time, then a Hindu Judge was placed there and then a Muhammadan Judge. If all these three officers followed one line, how can you say that the work has not been done in the right way?

Maulvi ABDUL LATIF BISWAS: In view of the answer that there is a general grievance of Muslim clerks being superseded——

Mr. SPEAKER: That question does not arise. You must ask questions arising out of the main question. I shall allow you only supplementary questions.

Maulvi ABDUL LATIF BISWAS: In view of answer (*c*), will the Hon'ble Minister be pleased to state whether the merits and special fitness of each candidate at the time of promotion depend upon the remarks made by the Sheristadar?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: No.

Khan Sahib Maulvi S. ABDUR RAUF: Will the Hon'ble Minister be pleased to state who is the appointing authority in this matter?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: District Judge.

Khan Sahib Maulvi S. ABDUR RAUF: Will the Hon'ble Minister be pleased to state who was the District Judge when the appointments were made?

Mr. SPEAKER: That question does not arise.

Maulvi AHMED ALI MRIDHA: In view of the pertinent nature of the question, will the Hon'ble Minister be pleased to state whether he considers it desirable to launch an investigation into the matter to judge if the question of merits of some other considerations led to the debarring of some people from getting promotion and to allowing others?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: In all these cases promotions were given on merits.

Mr. J. N. GUPTA: Will the Hon'ble Minister be pleased to state if there is a system of testing the efficiency of the clerks?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I do not think any reply is necessary

Vacancy in the post of Textile Supervisor.

*417. **Mr. SYED AHMED KHAN:** (*a*) Will the Hon'ble Minister in charge of the Industries Department be pleased to state how the post of the Textile Supervisor has been filled up?

(*b*) If it has been filled up by promotion, will the Hon'ble Minister be pleased to state who has been appointed in the resultant vacancy?

(*c*) What are his qualifications?

(*d*) Where has he been posted?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) By promotion of Maulvi A. K. Mamtazur Rahman, Supervisor, 4th Coir Demonstration Party.

(*b*) Maulvi Mahbubul Haq, Peripatetic Weaving Instructor, Jalpaiguri, has been appointed in the resultant vacancy.

(*c*) He is a matriculate of the Calcutta University and a First Class diploma holder in Textile Manufacture and Tinctorial Chemistry from the Textile Institute, Serampore. Received practical training in Keshoram Cotton Mills; and was a Peripatetic Weaving Instructor from April, 1934, till his appointment as Supervisor, Coir Demonstration Party.

(*d*) At Deaf and Dumb School, Post Office Sagardi, in the district of Bakarganj.

Provincial Government's opinion on amendments to Government of India Act, 1935.

*417(A). **Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister in charge of the Home (Constitution and Elections) Department be pleased to state—

(*a*) Whether the opinion of the Government of Bengal was sought regarding the amendments to the Government of India Act, 1935, recently proposed in the British Parliament?

(*b*) If so, when was this opinion sought and by whom?

(*c*) Whether the Government of Bengal or anybody on its behalf has sent any opinion or representation expressing its views regarding the proposed amendments?

(*d*) If so, who has sent the same and what are the opinions expressed?

(*e*) Will the Government be pleased to lay on the table the correspondence that has passed between this Government and the relevant higher authorities in this connection?

MINISTER in charge of the HOME (CONSTITUTION and ELECTIONS) DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) and (*b*) The Governor sought the opinions of the Council of Ministers on the amendments during February, 1939.

(*c*), (*d*) and (*e*) The Council of Ministers expressed their opinion to His Excellency the Governor. Their opinions were asked for by the Governor in confidence, and I regret that I am not in a position to publish communications of this nature.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that in newspapers published from and in Calcutta, news were published to the effect that certain Provincial Governments had expressed their opinion in support of the amendment and certain other Governments against it and comments were made thereon to the effect that the Government of Bengal had supported the amendment?

The Hon'ble Khwaja Sir NAZIMUDDIN: May I again draw the attention of the honourable member to my reply to question (*a*) and (*b*). The Bengal Government were not consulted.

Dr. NALINAKSHA SANYAL: Sir, my question was definite whether the Government of Bengal is aware that in certain newspapers

published in Calcutta and published within the city news was published of a report from London stating that the Secretary of State for India stated in the House of Lords a few days ago to the effect that certain Provincial Governments had supported the amendment and certain others had not supported the amendment and comments were made stating that the Government of Bengal and the Punjab Government had supported the amendment? I am putting it as a matter of newspaper report in Bengal.

The Hon'ble Khwaja Sir NAZIMUDDIN: It does not follow that what the newspaper said in this matter was correct.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that these newspaper reports were reports obtained from Parliamentary Proceedings in Great Britain?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have no information.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the Council of Ministers function in any capacity that is not responsible to the Provincial Legislature?

The Hon'ble Khwaja Sir NAZIMUDDIN: The matter being one upon which the Ministers are not constitutionally competent to tender formal advice, they are not in a position to disclose the nature of the views expressed by the Council of Ministers.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if his attention has been drawn to Rule 29 of the Assembly Rules and Standing Orders, where matters of fact relating to such questions have to be placed before the members if questions are asked relating to them?

The Hon'ble Khwaja Sir NAZIMUDDIN: That is quite true, on matters in which the Ministers are primarily responsible for their action. For those unless it is in the interest of public policy, the Ministers are responsible to this House and have got to answer the questions. On all other matters on which their advice is not constitutionally acceptable, neither the Minister nor the Legislature has got any responsibility.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that the Ministers while functioning have got always a responsibility to the Provincial Legislature?

Mr. SPEAKER: That is a question of legal opinion.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the opinion of the Ministers was sought on this occasion in their individual capacity or while they were functioning as Ministers responsible to the Legislature?

The Hon'ble Khwaja Sir NAZIMUDDIN: Let me explain it more fully to my friend opposite. The question is whether the term "advice of Ministers" is used in the Government of India Act in a most technical sense. Wherever the Ministers are competent to give advice, that advice the Governor has to follow under the Provincial Autonomy and for all the advice that they give, they are responsible to this House and they are responsible to give all the information in that connection unless it is a matter of public policy. This is a matter on which the Ministers are not competent to give any advice, and it is merely an opinion sought by the Governor from the Council of Ministers on a matter in which the Provincial Legislature has got no authority whatsoever and neither the Ministers have got any responsibility in this matter. Their advice need not be accepted and therefore they are not responsible to answer any question in this matter and this communication by the Council of Ministers is confidential.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if his attention has been drawn to Rule 25 where specific provision has been made for the Governor to disallowing certain questions where the Governor acts in the discharge of his special responsibility.

Mr. SPEAKER: It is a discretionary matter.

Dr. NALINAKSHA SANYAL: I think the matter relates to a subject which is not within the special responsibility.

Mr. SPEAKER: It is a discretionary matter.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, may I explain? As far as this question is concerned it is neither within the jurisdiction of the Governor nor of this province nor of the Ministers. It is a matter in which the British Parliament is the sole authority. They are not bound to accept either the advice of the Governor or of the Ministers or of this Legislature, and therefore this is a matter over which this House has got no jurisdiction.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that the question of acceptability of an advice is not the issue before us? What we want to elicit information

on is whether any opinion was sought from the Council of Ministers and if so what was the opinion given? Whether the Parliament is supreme or the Governor acted in his discretion are matters which are entirely beyond our purview. My question is specifically directed to this issue whether the Council of Ministers as Ministers while functioning as Ministers responsible to this House were asked for their opinion.

Mr. SPEAKER: This is a clear question which the Hon'ble Minister can answer.

The Hon'ble Khwaja Sir NAZIMUDDIN: No, Sir. If they were, then it would be as Government of Bengal or as Council of Ministers while functioning, as Ministers responsible to this Legislature. The Government of Bengal were not asked for their opinion.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Minister be pleased to state, while they tendered their opinion, whether they made it clear that it was merely their personal opinion that they gave or whether it purported to represent the opinion of the Government of Bengal?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I have got nothing further to add to what I have already stated in my answer.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that on May 1st one Mr. Surensen, Labour Member, asked a question in the House of Commons to which Colonel Muirhead, Under Secretary of State for India, replied that the Government in Great Britain were aware that the clause in the Amending Bill was being criticised in India as an invasion of the Provincial Autonomy? Will the Hon'ble Minister be pleased to state what opinion, if any, the Provincial Government of Bengal holds in this connection?

Mr. SPEAKER: That question does not arise at this stage.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government consider the desirability of permitting the Provincial Legislature to express its opinion and forwarding the same to the higher authorities in this connection?

The Hon'ble Khwaja Sir NAZIMUDDIN: That question does not arise out of this. It is entirely a question whether the Government of Bengal would allot a day for this House to express its opinion on this issue.

Rai HARENDRA NATH CHAUDHURI: Is the Hon'ble Minister aware that the opinion tendered by the Council of Ministers in Bengal has been quoted by the Secretary of State in the House of Lords as the opinion of the Provincial Government?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, if anybody has used the phraseology loosely, this Government is not responsible for it.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state whether he is in a position to contradict Lord Zetland's statement that the Bengal Ministry positively supported the amendment of the Government of India Act as a special war measure with a view to give full support to Government in the event of war?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am very sorry I have nothing further to add to what I have already stated.

Mr. JOGESH CHANDRA GUPTA: Will the Hon'ble Ministers be pleased to state whether the Ministers in tendering their opinion said that they were prepared themselves to go as combatants?

Mr. SPEAKER: That question does not arise. Let us wait and see.

Mr. PROMATHA RANJAN THAKUR: In answer (*c*), (*d*) and (*e*) it is said that the Council of Ministers expressed their opinion to His Excellency the Governor, but when the Governor asked the opinion of the Ministers on the proposed amendment of the Government of India Act, did they think it desirable to favour the Governor in return with the view that on such a vital amendment they could not give any opinion without consulting the Legislature?

Mr. SPEAKER: That question does not arise.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister be pleased to state whether he is aware that Lord Zetland actually congratulated the Government of Bengal for the support of the war measure he has received from the Bengal Ministry?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have not personally seen the statement and so I cannot say anything.

Mr. SASANKA SEKHAR SANYAL: In view of the statement made that the Ministers were not competent to give advice on this matter, may I know whether they declined to give advice?

Mr. SPEAKER: That question does not arise.

Mr. SANTOSH KUMAR BASU: In view of the statement made by the Hon'ble Minister that the expression used by Lord Zetland in the House of Lords was used loosely, would he consider the desirability of making the entire position of the Government clear in a press communiqué on the whole subject.

The Hon'ble Khwaja Sir NAZIMUDDIN: I have got nothing further to add to what I have already stated. What I have stated makes the position of the Government clear.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that the amendments relate to such subjects, like the power of the Provincial Legislature for legislating on matters relating to Universities situated within the province which are entirely within the responsibility of the Provincial Ministers? Will the Hon'ble Minister be pleased to state whether the Government of Bengal as such or the Council of Ministers while functioning as Ministers on behalf of the Government of Bengal expressed any specific opinion on this issue?

The Hon'ble Khwaja Sir NAZIMUDDIN: I regret very much I cannot add anything to what I have already stated.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Muslim appointments in the Industries Department.

184. Mr. SYED AHMED KHAN: Will the Hon'ble Minister in charge of the Industries Department be pleased to state—

(*a*) how many new appointments have been made in the last year;

(*b*) what is the percentage of Muslim appointments amongst those new recruits; and

(*c*) what steps, if any, have been taken to increase the percentage of Muslim appointments in the department?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: (*a*) 116 including Sericulture.

(*b*) 56.

(*c*) The member is referred to the answer given to unstarred question No. 36 by Mr. Fazlur Rahman (Mymensingh) in this House on the 27th February last.

Mr. MOKMOHAN DAS: Will the Hon'ble Minister be pleased to state if any percentage has been fixed regarding other communities as it has been done in the case of the Muhammadan community with respect to the new recruitment in the industrial department?

The Hon'ble Mr. H. S. SUHRAWARDY: No percentage has been fixed for any community.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: How does this question arise?

Mr. SPEAKER: There is nothing about the fixation of percentage here.

A Point of Privilege.

Sj. NARENDRA NATH DAS GUPTA: On a point of privilege, Sir, I submitted a question in February last which was admitted on 3rd March, but it has not been answered up till now.

Mr. SPEAKER: What is the number of the question?

Sj. NARENDRA NATH DAS GUPTA: 409.

Mr. SPEAKER: You may hand it over to the Secretary and I shall then see what I can do

Sj. NARENDRA NATH DAS GUPTA: Yes, Sir. Last year also I submitted a question like this which was not replied. Government could reply to it in a day or two.

Mr. SPEAKER: Is it about the unclaimed dead bodies.

Sj. NARENDRA NATH DAS GUPTA: Yes.

Dr. NALINAKSHA SANYAL: May I draw your attention to several such unclaimed questions put by me?

Mr. SPEAKER: I am just going into that question.

Dr. NALINAKSHA SANYAL: They relate to the department which is only a few feet off from us, I mean your own department.

Mr. SPEAKER: About what?

Dr. NALINAKSHA SANYAL: About the purchase of loud speakers and the equipment of the library.

Mr. SPEAKER: There is some difficulty between my department and the Public Works Department in connection with that matter.

Dr. NALINAKSHA SANYAL: There is another question about the girl students in Dacca; which is as old as three sessions of the House

GOVERNMENT BILL

Calcutta Municipal (Amendment) Bill, 1939.

(The discussion of the amendments on Clause 3 was resumed.)

Mr. DHIRENDRA NATH DATTA: Mr. Speaker, Sir, in support of the motion that has been moved by me, I want to say a few words. It must be admitted that nomination is an anachronism, and it should not find a place in any civic administration as well as in any political administration of the country. Sir, we have been told that in this Bill Government have been following the Government of India Act. The Hon'ble Minister in charge of the Bill has said that in introducing separate electorate in this Bill he has only followed the provisions of the Government of India Act. I have nothing to quarrel with that, Sir, but I submit that there is absolutely no reason why he should not also follow the Government of India Act in the matter of nomination. The Government of India Act has done away with the system of nomination, and there is no reason why on the same analogy the system of nomination which now prevails in the Calcutta Corporation should not be abolished.

Then, Sir, as regards the allotment of seats, originally 46 seats were allotted under general constituencies out of which seven were reserved for the Schedule Caste Hindus on joint electorate basis, but that clause is now sought to be amended by Mr. K. Shahabuddin to the effect that 47 seats have been allotted to the general constituencies out of which four seats have been reserved for the Scheduled Castes on joint electorate basis; further, three seats have been given to them through nomination.

Admittedly, it is an injustice done to the Scheduled Caste Hindus, because by nomination the right sort of Scheduled Caste members will not be selected. There are certain hangers-on among the supporters of the present Ministry and nomination is the only device on the part of Government to find a place for these men, who are not ashamed of themselves, in the Calcutta Corporation. Sir, I do not grudge a few seats being given to the Scheduled Caste community out of the general seats and I submit that out of the 47 seats at least eight seats ought to have been reserved for that community. My idea is that even ten seats might have been reserved for them.

Then, Sir, I have moved an amendment on the lines of the amendment of my friend, Mr. Jalaluddin Hashemy, that instead of eight nominations there should be five nominations if nomination is at all necessary. Sir, while I was speaking the other day in support of my motion, I heard certain members of the Coalition Group to say that the Congress itself supports nomination in the matter of the constitution of the Congress. Evidently, they referred to the constitution of the Working Committee of the Congress. They do not know that the Working Committee is just like the Cabinet of this Government where the leader of the majority party is summoned to nominate the other Ministers of the Cabinet of which he will be the Chief Minister. This is the procedure followed in all democratic institutions and in the same way the President of the Indian National Congress nominates the members of its Working Committee. The Working Committee as a whole is responsible to the All-India Congress Committee. So, those members of the Coalition Group simply displayed lack of knowledge in saying that nomination is maintained in the Congress Constitution. Nomination is nowhere tolerated except by the Coalition Group. Sir, nomination is necessary for consolidating their power; nomination is necessary to bring into the constitution of the Calcutta Corporation persons who are really hangers-on of the present Ministry. As a matter of fact, it has been said times without number that nomination shall be done away with. We have been told, Sir, that though it gives them inconvenience, nomination is necessary and in a way three members of the Scheduled Caste community are sought to be selected by nomination. This has been done with the object of helping them to enter into the Calcutta Corporation by the back door. Sir, the system of nomination has its usefulness if it is properly utilised, but Government are going to perpetuate it not with that object in view but with the motive of distribution of patronage. It is useless to inflict a speech on this House which is bent upon carrying this measure through by sheer force of number, but still I submit that if it is considered that nomination is necessary, five seats should be reserved for nominating persons having expert knowledge just as has been suggested by my friend, Mr. Jalaluddin Hashemy.

Mr. SANTOSH KUMAR BASU: Mr. Speaker, Sir, I rise to support the amendment which I moved the other day, namely, that in clause 3(2), in the proposed clause (*b*), line 2, after the word "Government" the following words be added, namely :—

"if considered necessary, provided the Chairman of the Calcutta Improvement Trust will be a member ex-officio."

My suggestion is that if it is at all intended to perpetuate this evil of nomination in the Calcutta Municipal Act by means of a Bill which is now before the House and if the precedent set up by the Government of India Act, so far as the constitution of the Provincial Legislative Assembly is concerned, is not followed in the Calcutta Municipality, then I would suggest that the system of nomination adopted, so far as the Upper House of the Bengal Legislature is concerned, may at least be adopted to minimise the evil of nomination in the Calcutta Corporation. In the Bengal Legislative Council, as you are very well aware, provision has been made for six members to be nominated by the Governor but a very salutary proviso has also been put in, and it is this, that if the Governor considers it necessary, then and then alone six members or as many as are considered necessary may be nominated. So far as the Calcutta Corporation is concerned, there is particular force in such a suggestion if nomination is at all retained. We find, Sir, that in the Corporation up till now since the year 1924 when the new Municipal Act came into operation, members had been nominated on the Corporation who had absolutely no title, no right, no justification to be nominated by the local Government, because such members had been nominated who could very well have come through the open door of election if they had so chosen—not experts, not people who are specially required to render their services in the discharge of the duties of the Corporation and the functions of the Corporation, not any such people at all, but people who could very well have come through the General Constituencies by election—pleaders, doctors, landholders and such other people who had absolutely no special claim at the hands of the Government for finding them seats in order to render any special or any technical services in the discharge of the functions of the Corporation. It is for that reason that I would suggest that these words, "if considered necessary", on the lines of the system of nomination in the Bengal Legislative Council, should be adopted in the Corporation also. Let the Government have that power in their hands, and if it is considered that the requisite type of people have not been returned by election and it is necessary to secure the services of some particular persons in order that the working of the Corporation might be strengthened, the tone of the Corporation might be raised, and some lacuna in the constitution of the Corporation might be filled or remedied by the recruitment of experts or people like them. It is then and then

alone that Government might consider the necessity of making use of the special power by nominating some persons whose nomination can then be justified from that point of view. Otherwise, simply for the purpose of distributing patronage amongst persons who could and should come through the door of election, there is absolutely no justification for retaining this power of nomination. I am not unmindful of the fact that it is necessary that the association of the Chairman of the Calcutta Improvement Trust should be obtained in the administration of the Corporation of Calcutta. The Calcutta Improvement Trust perform a very important and very necessary function in the matter of carrying out improvements in this city. They are more or less an integral part of the Calcutta Corporation, inasmuch as their finances are augmented by substantial contributions from the Corporation's funds. It is also the case that the Calcutta Improvement Trust after the execution of particular schemes have to make them over to the Corporation for the purpose of maintenance. It is, therefore, necessary, that the head of this *ad hoc* body should be enabled to associate himself with the administration of the Corporation of Calcutta. I have, therefore, taken care to provide that so long as the Improvement Trust will continue to function, the Chairman of the Calcutta Improvement Trust should be made an *ex-officio* member of the Calcutta Corporation, and so far as the other nominated seats are concerned, they can only be filled up if Government consider it necessary to do—not necessary because patronage has got to be distributed, not necessary because political supporters have got to be found a place in the Corporation, not necessary for the purpose of stopping the mouths of opponents and claimants, but necessary in the municipal interests of Calcutta, necessary for the civic advancement of Calcutta. It is from that point of view that the word "necessary" has been used in my amendment. I think, Sir, that that is a most legitimate request which, if acceded to, will be a palliative measure, if the system of nomination is retained in the Corporation. Protest against nomination has been voiced by the people of this city—by all right-thinking men, by all progressive elements in the different provinces and in the country in general. If, however, that cry, that demand is simply brushed aside, let us at least take away the edge of the complaint by retaining this power to be exercised only in cases when it is considered *bona fide*, considered by Government to be necessary. If it is to be retained, then let us use it for such a *bona fide* purpose as has been contemplated and visualized in the amendment which I have placed before the House.

Mr. PULIN BEHARY MULLICK: Sir, the word "nomination" has come in for a good deal of criticism——

Mr. JOGESH CHANDRA GUPTA: Sir, are you allowing speakers to speak in addition to those who have tabled the amendments?

Mr. SPEAKER: What I am going to do is this: That, so far as these amendments are concerned, after this section is finished I will say what I am going to do. Up till now the total number of amendments have been taken as the basis on which the number of speeches to be made has been fixed. I do not think that I have been unfair to any group or party.

Dr. NALINAKSHA SANYAL: What about my specific motion?

Mr. SPEAKER: You ought to have spoken before. I cannot help it now.

Dr. NALINAKSHA SANYAL: But, Sir, you cannot deprive me of my right to speak on my motion.

Mr. SPEAKER: I don't think so. I have got a copy of the proceedings in which you raised that point and I said "No," and that is why I promised to Mr. Dhirendra Nath Datta and Mr. Santosh Kumar Basu that I would allow them to speak. Further, it has been reported to me on behalf of the Scheduled Castes that not a single Scheduled Caste member has spoken. I therefore, want to give them an opportunity to have their say. After one of them has spoken, I shall call upon Mr. Atul Krishna Ghose to speak, after which the Hon'ble Minister in charge will reply.

Dr. NALINAKSHA SANYAL: What about my specific motion, Sir?

Mr. SPEAKER: Order, order, Dr. Sanyal.

Mr. JOGESH CHANDRA GUPTA: Sir, if you are allowing any speaker from the Scheduled Castes group to speak in support of "nomination," then I submit that there are other members of the Scheduled Castes on this side of the House who should be allowed to speak.

(Before Mr. Speaker could deal with the point raised by Mr. Jogesh Chandra Gupta Dr. Nalinaksha Sanyal rose and spoke as follows.)

Dr. NALINAKSHA SANYAL: Sir, I will move my amendment. I have the right to move my amendment——

(At this stage there were cries of "Sit down, sit down" from the Coalition Benches and there was some excitement amongst the members of Coalition Benches.)

Dr. NALINAKSHA SANYAL: Under the rules, Sir, I am entitled to speak for 15 minutes on my motion.

Mr. SPEAKER: Order, order.

Dr. NALINAKSHA SANYAL: May I submit, Sir, that I have got an amendment and I want to have the usual time to speak in support of it? I am enjitled under the rules to speak.

Mr. SPEAKER: It is absolutely definite that, with the consent of all sections of the House till this point was developed, we have been proceeding on the basis of the entire section. Whatever may be the nature of the procedure, I cannot possibly change the principle which has been followed before.

Dr. NALINAKSHA SANYAL: Sir, I have got an amendment——

Mr. SPEAKER: I am helpless. You ought to have spoken before. I cannot allow you to speak now.

Dr. NALINAKSHA SANYAL: If you do not allow me, then let one of the ladies speak. May I ask whether the ban is against me personally?

Mr. SPEAKER: No, no. It is not against you personally. I think you are setting up a bad precedent. I have decided definitely that, so far as this section is concerned, anybody who has not spoken before has an opportunity to speak on the entire motion. If he has not spoken, I am quite prepared to consider the claim of any interest or group, but it is not possible to allow anybody to speak who has spoken once.

Dr. NALINAKSHA SANYAL: I have spoken once on one motion, but I am entitled to speak any number of times on different motions.

Mr. SPEAKER: No, you cannot do that.

Dr. NALINAKSHA SANYAL: May I know, Sir, under what rule that is not possible?

Mr. SPEAKER: I am not prepared to give any explanation.

Dr. NALINAKSHA SANYAL: Then let one of the ladies speak, as it relates to the representation of ladies.

(Mrs. Hemaprova Majumdar rose to speak.)

Mr. SPEAKER: Mrs. Majumdar will speak after Mr. Mullick has finished his speech. (Laughter.)

Mr. PULIN BEHARY MULLICK: Mr. Speaker, Sir, the word "nomination" has come in for a good deal of criticism in this House owing to its long association with previous Governments which were not responsible to the people. Therefore, Sir, their nominations were often looked upon with distrust and disfavour. But, Sir, times have now changed. The present Governments are responsible to the people and they cannot act contrary to the wishes of the people, and, therefore, Sir, the criticisms that have been levelled against nomination by Government are more applicable to the old system of Government than to the present system.

Mr. SANTOSH KUMAR BASU: May I point out, Sir, so that you may reply to my point later, that so far as the Montford Reforms are concerned that part of the Government which had to deal with the question of nominations is equally responsible under the present Government. I think that Sir Bijoy Prasad Singh Roy knows that very well!

Mr. JOGESH CHANDRA GUPTA: Answer that point.

Mr. PULIN BEHARY MULLICK: Sir, the Montford Reforms gave us only a shadow of responsibility. The non-elected official element still controlled the Legislature. So there is no force in Mr. Basu's argument. Sir, the Chief Whip of the Government has tabled an amendment that of the eight nominations, three shall be reserved for the Scheduled Castes. We have also seen that Mr. B. C. Mondal, who was on the Select Committee, pressed for separate electorate for the Scheduled Castes in his dissentient note. There are also amendments to that effect in the list of amendments before you to-day. Even the members of the Scheduled Castes sitting by the Opposition expressed the desire for separate electorate—as was done by Mr. Kshetra Nath Singha in his speech day before yesterday. But, Sir, you have been pleased to rule out of order the principle of separate electorate in the present Bill. What, after all, is separate electorate? It is nomination of the Scheduled Castes by the Sheduled Castes and for the Scheduled Castes. And what is joint electorate with reservation of seats in Calcutta where Caste Hindus would be more than 85 per cent. and the Scheduled Castes less than 15 per cent.? This is nomination of the Scheduled Castes, no doubt, but by the Congress, which is the organisation of the Caste Hindus and for the Congress. What, after all, is nomination by the Government, which consist of the Scheduled Castes, the Caste Hindus and the Muslims? I submit, it is the nomination of the Scheduled Castes by the Scheduled Castes, the Caste

Hindus and the Muslims and for the Scheduled Castes as well. Sir, it is not as good as nomination by the Scheduled Castes themselves, but is certainly not as bad as the nomination by the Congress. This, Sir, is the justification of nomination by Government. With these words, Sir, I resume my seat. (Coalition applause.)

Mr. SANTOSH KUMAR BASU: A brilliant argument, indeed!

Mrs. HEMAPROVA MAJUMDAR: মাননীয় সভাপতি মহাশয়, আমি ডাক্তার নলিনাক্ষ সান্যাল মহাশয় যে amendment এনেছেন সেটা সমর্থন করছি। এই amendment টা প্রথমতঃ আমাদের Mrs. Hasina Murshed এর আনার কথা ছিলো, কিন্তু শেষ পর্যন্ত তিনি এটা আনলেন না। তিনি Select-Committee তে খুব চেষ্টাও করেছেন মেয়েদের seat এর জন্য। তাঁকে আমি যখন জিজ্ঞাসা করেছিলাম যে, তিনি কেন এই motion টা আনলেন না, তিনি আমাকে উত্তর দিয়েছিলেন যে, আমি বোলেইছি কিন্তু প্রধান মন্ত্রী আমাকে assurance দিয়েছেন যে, তিনি আমাদের দুটি seat দেবেন। তিনি এ কথাও বলেছেন যে, প্রধান মন্ত্রী মহাশয়ের যে assurance সেটা আইনে পরিণত হয় নাই। আইনে পরিণত না হোলে তাঁর কথার দ্বারা আমরা প্রকৃত পক্ষে কিছুই লাভ করতে পারবো না। তাঁর শুধু assurance নিয়ে আমাদের কি হবে? সেই জন্য আমরা এই amendment টা এনেছি। প্রথমতঃ, nomination জিনিষটাই আমরা চাই না। এবং এ সম্বন্ধে এখানে যথেষ্ট আলোচনাও হয়েছে। এখন এই nomination কথাটার অর্থ কি? ছেলেদের খেলার সময় দেখেছি যে, তারা হাতের পাঁচ রাখে, গুন্তির ঘরে যখনই কম হয় তখনই সেই হাতের পাঁচ দেখিয়ে ছেলেরা গুন্তিঘর পূরণ করে নেয়। এই গভর্ণমেণ্টেরও এই nomination টা হাতের পাঁচ। এই জিনিষটা তাঁরা রাখছেন—তাঁদের যদি গুন্তির ঘরে কম হয় তাহলে এই হাতের পাঁচটা দিয়ে সে ঘর পূরণ করিয়ে নেবেন। অবশ্য এই হাতের পাঁচ এখন তাদের কাছে হাতের ৮ হয়ে গেছে। আমি এই জিনিষটা খুব জোরের সঙ্গে বোলে দিচ্ছি যারা নাকি নিজেদের popular বলে জনসমাজের মন্ত্রীমণ্ডলী বোলে এবং সমাজের সেবক বোলে এখানে অধিষ্ঠিত রয়েছেন তাদের কাছে এটা আমি খুব স্পষ্ট করে জানিয়ে দিচ্ছি যে, nomination ছেড়ে দিয়ে election প্রবর্ত্তনই হচ্ছে জনমত। election না হোয়ে nomination হওয়ার অর্থই হচ্ছে যে, তাদের ইচ্ছা মতন হাতের পাঁচ রেখে ঘর পূরণ কোরে নেওয়া।

জনসমাজ nomination চায় না। সঙ্গে সঙ্গে মন্ত্রীমণ্ডলও বলেছিলেন nomination তুলে দেবেন এবং coalition এর যাঁরা member তাঁহারা কেউ কেউ এর প্রতিবাদ করেছেন। সুতরাং nomination থাকা উচিত নয়। কিন্তু এখন বোধ হয় তারা অঙ্ক কষে দেখেছেন যে, election এর সংখ্যার উপর তাদের একটা হাতের পাঁচ রাখার প্রয়োজন সেইজন্য আজকে তারা সেই হাতের পাঁচকে হাতের ৮এ পরিণত করেছেন। তা যাক, এখন আমাদের মেয়েদের যে একটা দাবী সব দিক দিয়েই আমাদের এই দাবীটা রক্ষা করা উচিত। Corporation ই হউক আর Council ই হউক সেখানে যাঁরা elected হয়েই যাক আর nominated হয়েই যাক কিন্তু কেন যায়? যায়,—দেশের সেবা করবার জন্য জনসাধারণের সেবা করবার জন্য এবং এই সেবার অধিকার মেয়েদের, পুরুষদের চাইতে কম নয় বরং সেবার দাবী তারাই বেশী করতে পারে। তারপর এমনও নয় যে, এই কলিকাতা Corporation এর ভোটারদের মধ্যে মেয়ে ভোটার নাই অতএব মেয়েদের দাবী করবার কিছু নাই। এখানে আমি অঙ্ক শাস্ত্রের কথা কিছু বোলতে চাই, যেখানে মোট ১১ লক্ষ ৯৬ হাজার population সেখানে হচ্ছে ৩ লক্ষ ৮১ হাজার মেয়ে আর ৮ লক্ষের কিছু বেশী পুরুষ। যেখানে ৩ লক্ষ মেয়ে ভোটার সেখানে

population basis এ.—আজ যেমন মুসলমানদের seat দেওয়া হয়েছে সেই হিসাবে যদি আমরা দাবী করি তাহলে স্ত্রীলোক ভোটারদের population হিসাবে কটি পাওয়া উচিত? আমি জিজ্ঞাসা কোরছি আমাদের মন্ত্রী মহাশয়কে তিনি হিসাব কোরে যেন বলেন। সে হিসাবে আমরা কিছুই দাবী করি নাই। কিন্তু আমাদের অতি সামান্য অধিকারও কেন থাকবে না? বিশেষতঃ জনসাধারণের যেটা সেবার অধিকার সেটা থেকে আমরা কেন বঞ্চিত হবো? করপোরেশনে যাঁরা যায় তাঁদের কাজ হচ্ছে লোকের সুখ, স্বাস্থ্য, রাস্তা, ঘাট এই সবের সুবন্দোবস্ত করা। এখানে বহু স্ত্রীলোক এবং বহু শিশু আছে যাদের স্বাস্থ্য দেখবার জন্য এবং সেবা করার জন্য মেয়েদের বিশেষ অধিকার রয়েছে এবং সেই হিসাবেই আমি বোলছি। কাজেই মেয়েদের দিক হতে আমরা এই যে দাবী কোরেছি এটা খুব সঙ্গত দাবী। অতগুলি মেয়ে ভোটার যেখানে সেখানে ৩টি মাত্র মেয়েদের জন্য আসন কিছুই নয়। এই তিনটি মহিলাদের আসনের একটায় হিন্দু, একটায় মুসলমান এবং আর একটায় এংলো ইণ্ডিয়ান বা ইউরোপিয়ান মহিলা হবেন। এটা হচ্ছে ন্যূনতম দাবী, কিন্তু এটাও তাঁরা দিতে রাজি নন। মিসেস্ হাসিনা মুর্শেদ প্রথমটায় বেশ জোর দেখিয়েছিলেন মেয়েদের এই ক্ষুদ্র দাবিটা আদায় করার জন্য; কিন্তু প্রধান মন্ত্রী population দিয়ে, এবং পার্টি হুইপ্ দিয়ে তাঁকে বাধ্য করিয়ে প্রস্তাবটা তাকে move কোরতে দেন নি। তিনি যে assurance দিচ্ছেন, সেটা কেন আইনে পরিণত কোরছেন না? এটা আইনে পরিণত যতদিন না হয় ততদিন পর্য্যন্ত আমরা বিশ্বাস কোরতে পারি না যে, তিনি এ assurance রাখবেন। করপোরেশনের আসন পেতে মেয়েরা বিশেষ কোরে দাবী কোরতে পারে এই জন্য যে, শিশুর স্বাস্থ্য, প্রসূতির স্বাস্থ্য প্রভৃতি বিষয়ের সুবন্দোবস্ত করা তাদের দ্বারাই ভালোভাবে হওয়া সম্ভব। (Hear, hear.) যদি একথা বলা হয় যে, মেয়েদের মধ্যে উচ্চশিক্ষার অভাব, অতএব তারা করপোরেশনে যেতে পারবে না। সেকথা আমি মোটেই বিশ্বাস করি না। যে সমস্ত পুরুষ কাউন্সিলার করপোরেশনে যান বর্ত্তমানে বাংলা দেশের মেয়েরা তাদের চেয়ে কিছু কম শিক্ষিত নয়, করপোরেশনে যেয়ে তারাও যথেষ্ট কাজ কোরতে পারে। সবশেষে, আমার বক্তব্য এই যে, মিসেস্ হাসিনা মুর্শেদ প্রধান মন্ত্রীর assurance এ বাধ্য হোয়ে বোসে রয়েছেন, আমি আশা করি তিনি আমাদের এই প্রস্তাবটা সমর্থন কোরবেন এবং তাঁর দল ও পার্টিকে এই অতি সঙ্গত প্রস্তাবটিতে রাজি করাবেন।

Mr. ATUL KRISHNA GHOSE: Mr Speaker, Sir, I find that while the Cabinet has got some sort of fascination for nomination, the whole House is expressing some sort of irritation. I do not know how far it will be effective; in any case—

Mr. SPEAKER: Don't you bring about any addition.

Mr. ATUL KRISHNA GHOSE: My amendment is for three; so I am not going in for any addition. I am for subtraction.

I notice some sort of crocodile tears in the eyes of the Chief Minister and of the other Ministers for the Scheduled Castes in their sympathy, in their affection and in their love, and I do not know in what other forms I should express their eagerness. They are always anxious and perhaps they are passing their nights in insomnia to find out a suitable solution as to how they can pass this Bill through this House and if

possible by giving some sort of nomination to the Scheduled Caste I think on that basis they are giving three seats to the Scheduled Caste people. But I should like to ask one particular question to the member of the Cabinet. Had they been really sincere, or had they been reall fair and just to the people of the Scheduled Castes community, the could express equal eagerness and equal fairness for that communit as well.

So far as the Muslim community is concerned, they have taken 2 seats and one seat as advantage. I mean 22 seats in all. On the popu lation basis the Scheduled Castes, too, can claim 12 seats and if weight age is given, they can very well claim 13 seats whereas they are bein given 7 seats only, including nomination seats. Why is this discrimi nation? Is this justice, or is this fairness? What is the underlyin policy behind this? Three nominated seats have been given for wha purpose? Will the Hon'ble Minister in charge explain the situatio to us? When we come to the problem of nomination in connectio with labour seats, I think the cat comes out of the bag. Is there an significance, is there any earthly imagination whatsoever to have nominated seat for the labourers by a Cabinet which consist of peopl who by virtue of their vested interest are opposed to the interest of th labourers Now whether this nomination will go to foster the interes of the labourers or whether it has been designed and deliberatel designed by Government to undo, to frustrate the activities of the rea well-wishers, the real sympathisers of the labourers When there ar two elected seats for the labourers, what is the significance in giving one seat for the labourers by virtue of nomination? Had there bee any sympathy for the labourers, could not the Government extend th franchise, to some extent; could not they distinguish the franchis between the ordinary man and the ordinary labourer? Government di not take any trouble whatsoever to make that sort of provision. In thi way Government is trying to undo whatever good activities could b done among the labourers.

Then I would like to draw the attention of the Cabinet to only on point before I resume my seat. By virtue of a majority of votes you can do whatever you like We know that the Bill is out and out a communal one, that this Bill is out and out an undemocratic one, bu so long as we are here and so long as we represent a section of th people we must give expression to their views, their thoughts and thei ideals, and it is from that consideration alone that I submit their poin of view though I know fully well that Government is determined t carry this Bill through, rightly or wrongly. Government may thin to-day that by a majority of votes they can shamelessly do each an every thing. I would like to draw the attention of the Muslim member of this House and of all other members to the fact that time may change this majority may be shifted and if in future a time comes when som

other community is molested or its rights curtailed and if it is shamelessly and deliberately dragged into a position in which you are dragging 75 per cent. of the population to a state of thing which is inconceivable and unimaginable, you will have to reap the consequences. It may not be done by the Congress men, but it may be done by the very decendents of Lord Clive against whom your chief once declared a *zehad* and to-day he is licking their feet to get their patronage.

Mr. JATINDRA NATH BASU: Government have recognised the need for separate representation of labour in the Corporation. Separate labour constituencies have been provided for and they are to return two members. The proviso to which I object is the proviso to sub-clause (2) of clause 3 which says "that the Provincial Government may in addition to the persons elected as councillors to represent labour constituency appoint one councillor to represent the interest of labour employed within the limits of Calcutta" There does not appear to be any occasion as to why in addition to the representatives of labour who will enter the Corporation by election there should be an addition of one who will go in by nomination Then, Sir, it is not really a compulsory provision It merely says that the Provincial Government may make such a nomination Even if this provision was not there, the Government would have the right to nominate any person they desire. I think it is a wholly unnecessary provision and a piece of loose drafting which merely makes the Calcutta Municipal Act unnecessarily bulky.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: For the last two days I have been hearing from the Opposition Benches a lot of things in regard to nomination I wish before I say anything further to make the position of Government absolutely clear on this point. I have already said before and I wish to state again that the Government is going into the question of nomination and they have already started proceedings to get the opinion of local bodies and others so that they may formulate their policy In regard to this question, as soon as the opinions are received and machineries are set up, Government will consider whether nomination should be kept or not. Till that time Government cannot decide if nominations are to be given up in the local bodies. The Government in this question have followed this policy for the last 30 or 40 years and also what prevails in other provinces. Some friends of mine on the other side say that nominations are all right in Congress Provinces because in those provinces there are Governments of the same way of thinking as my friends on the opposite side, but because there is a Government here which is not of the same way of thinking as my friends on the opposite side it is wrong. I say that this Government is composed of elected representatives, and

it is a popular Government because the majority of the elected representatives are on this side of the House. Therefore, the nominations made by them are just as good as the nominations made by any Congress Government.

Mr. JOGESH CHANDRA GUPTA: Bombay has abolished nomination.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Several speakers have been talking on subjects which are not before us. We are only concerned at the present time with the question whether nominations are going to be kept or not, and, if so, what should be the numbers. My friend Mr. Kshetra Nath Singha, or somebody from the other side, I don't remember his name exactly, said that the Government did not deal fairly with the Scheduled Castes and that Government ought to have provided separate electorate for them Till the Bill was put into form there was no demand by the Scheduled Castes people for separate electorate, and instead of being grateful for the four reserved seats now given, the Scheduled Caste members on the Opposition Benches said that they ought to get separate electorates and things like that. The majority on this side of the House, if they were communal, would have thought it proper to divide the Hindu community into two. They are not prepared to do that specially because they are not communal, but if the Scheduled Castes, as a whole, demand from the Coalition Party separate electorate, they would get it

Mr. MONMOHAN DAS: Did you seek the advice of the Scheduled Caste members as a whole?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Then my friend Mr. Sibnath Banerjee was so enamoured of Labour that he said that it did not want any special seats. No Government since the inception of Government in Bengal has recognised Labour. Instead of being grateful to Government for their recognition that Labour should and ought to be represented he says that Labour does not want any special representation. What he says is that he wants adult franchise. I can assure him that legislation will be introduced very soon recommending an extension of franchise. He ought to be thankful that Government recognised that Labour should be represented, and he could not say that Government did not recognise Labour.

Mr. Surendra Nath Biswas went over the same tale about separate electorate. I have already said that the Mussalmans who form the majority of this province have definitely demanded separate electorate and therefore this Government which is backed by the majority of the Mussalmans have to accede to that demand.

In regard to number of seats to be filled by nomination a very novel theory has been put forward by the Chief Whip of the Opposition Party. He suggests that one seat should be filled by nomination. Therefore, it means that he accepts in theory that nomination is reasonable and right. It does not matter whether the number to be filled by nomination is one or ten. As I said his theory is this, that this Government which is not of his way of thinking should have no right to nominate people, but when he comes into power he should have the right to nominate anybody he chooses.

Dr. NALINAKSHA SANYAL: It is a case of choosing the lesser evil.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: My friend Mr. Jalaluddin Hashemy is so enamoured about the improvement of the Calcutta Corporation that he said that Government should nominate people who have got qualifications in medicine and who are experts in food analysis, etc. I would have thought that it was the duty of the Corporation to appoint people to see that food was not adulterated. That is not the duty of the Government. The Calcutta Corporation is an autonomous body and Government are there only to nominate people who are fit to go in there and who understand the civic problems.

Mr. JOGESH CHANDRA GUPTA: What about the Cabinet commitments regarding the abolition of nomination?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: As I have said if the Coalition Party which represents the Government by a majority desire to abolish nomination Government will be prepared to accept that Till then Government are not prepared to accept the abolition of nomination which is now demanded by the Opposition.

Maulvi ABU HOSSAIN SARKAR: What about the Hon'ble Mr. Fazlul Huq's statement that he will abolish nomination? What about Mr. Nausher Ali's statement and Mr. Shamsuddin's statement?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have already said that Government are going into the question of nomination and they hope that in a very short time it will be possible for them to arrive at a conclusion. If it is felt that the majority of the Coalition Party after studying all the facts decide that nomination should be given up, then this can be amended very easily. Till then Government do not propose to abolish nomination and, therefore, I oppose all the motions which have been moved by the Opposition and accept the motion of Mr. Shahabuddin.

Mr. SPEAKER: May I know, Mr. Gupta, whether it would be convenient if I can select one motion from the motions of the Opposition?

Dr. NALINAKSHA SANYAL: Sir,——

Mr. SPEAKER: I am asking Mr. Gupta.

Dr. NALINAKSHA SANYAL: As a member I have a right to have my say.

Mr. SPEAKER: Dr. Sanyal, if you say that, then I may tell you that the Speaker has the right to take any motion he likes, and put it to vote.

Dr. NALINAKSHA SANYAL: You may do so.

Mr. SPEAKER: Mr Gupta, may I know whether it would be possible for you to suggest any motion which you think should be selected.

Mr. JOGESH CHANDRA GUPTA: My submission is that the motion which proposes the least number will, in my opinion, have to be put first, and then the other motions having higher numbers. If you put the motion with "8" in the beginning, then of course the others will have to be ruled out.

Mr. SPEAKER: As you know I am the last person to exercise my discretion, but Dr Sanyal's remarks have made me a little nervous. I hope you will not begin calling divisions on each amendment.

The motion of Mr. Jogesh Chandra Gupta that in clause 3(2), in the proposed clause (*b*), of section 5, line 1, for the word "ten" the word "one" be substituted, was put and a division called, with the following results:—

AYES—78.

Abdul Wahed, Maulvi.	Barman, Babu Shyama Prosad.
Abu Hossain Sarkar, Maulvi.	Basu, Mr. Santosh Kumar.
Abul Fazl, Mr. Md.	Bhawmik, Dr. Gobinda Chandra.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.	Biswas, Mr. Rasik Lal.
Ahmed Khan, Mr. Syed.	Biswas, Mr. Surendra Nath.
Asimuddin Ahmed, Mr.	Bose, Mr. Sarat Chandra.
Banerji, Mr. P.	Chakrabarty, Mr. Jatindra Nath.
Banerjee, Mr. Pramatha Nath.	Chakrabarty, Babu Narendra Narayan.
Banerji, Mr. Satya Priya.	Chattopadhyay, Mr. Haripada.
Banerjee, Mr. Sibnath.	Chaudhuri, Rai Harendra Nath.
Banerjee, Dr. Suresh Chandra.	Das, Babu Mahim Chandra.
Barma, Babu Premhari.	Das, Babu Radhanath.
Barma, Mr. Puspajit.	Das, Mr. Monmohan.
	Das Gupta, Babu Khagendra Nath.

Das Gupta, Dr. J. M.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Deivi, Mr. Harendra Nath.
Dutta Gupta, Miss. Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. Jogesh Chandra.
Hasan Ali Chowdhury, Mr. Syed.
Jalaluddin Hashemy, Mr. Syed.
Jalan, Mr. I. D.
Jonab Ali Majumdar, Maulvi.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mal, Mr. Iswar Chandra.
Mandal, Mr. Amrita Lal.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mookerjee, Dr. Syamaprasad.
Mukherji, Mr. Dhirendra Narayan.
Mukherji, Dr. H. C.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Naskar, Mr. Hem Chandra.
Nausher Ali, Mr. Syed.
Pain, Mr. Barada Prasanna.
Pramanik, Mr. Tarinicharan.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Sen, Rai Bahadur Jogesh Chandra.
Shahedali, Mr.
Shamsuddin Ahmed, Mr.
Singha, Babu Kshetra Nath.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Thakur, Mr. Pramatha Ranjan.
Waliur Rahman, Maulvi.

NOES—118.

Abdul Aziz, Maulana Md.
Abdul Bari, Maulvi.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbbar, Maulvi.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdulla-Al Mahmood, Mr.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Mr
Abdur Rauf, Khan Sahib Maulvi.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi. Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hosain Ahmed, Mr.
Abul Quasem, Maulvi.
Aftab Ali, Mr.
Aftab Hosain Joardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed, Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Ashrafali, Mr. M.
Aulad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Birkmyre, Sir Henry, Bart.
Blomenstock, Mr. L. M.
Brown, Mr. A. O.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Edbar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Fazlur Rahman (Mymensingh), Mr.
French, Mr. F. H.
Gomes, Mr. S. A.
Griffiths, Mr. C.
Habibullah, the Hon'ble Nawab Bahadur K., of of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M. B. E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
MacGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Maftabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.

Masud Ali Khan Pannl, Maulvi.
Miles, Mr. C. W.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Morgan, Mr. G., C.I.E.,
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagavsai Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Norton, Mr. H. R.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Razaur Rahman Khan, Mr.
Ross, Mr. J. B.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Sanaullah, Al-Haj Maulana Dr.
Sarkar, Babu Madhusudhan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sasson, Mr. R. M.
Serajul Islam, Mr.
Shamsuddin Ahmed Khondkar, Mr.
Shamsul Huda, Maulana.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, The Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Wordsworth, Mr. W. C.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 78 and the Noes 118, the motion was lost

The motion of Mr. Rasik Lal Biswas that in clause 3(2) for the proposed clause (*b*) of section 5, the following clause be substituted, namely:—

"(*b*) two councillors to be appointed by the Provincial Government (1) to secure association in the municipal administration of the Chairman of the Calcutta Improvement Trust and one more person specially fitted in the opinion of the Provincial Government for appointment as councillor"

was then put and lost.

The motion of Mr. Surendra Nath Biswas that in clause 3(2), in the proposed clause (*b*), of section 5, line 1, for the word "ten" the word "three" be substituted was then put and a division claimed.

(After the members had assembled in the Chamber to hear the question being re-put, Mr. Speaker spoke as follows:—)

Mr. SPEAKER: I shall as usual put the motion to the House, and if a division is claimed, the members need not return to the Chamber after recording their votes. It is prayer time now, and I shall announce the result of the division after the House reassembles.

(The division was then recorded.)

AYES—74.

Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Khan, Mr. Syed.
Asimuddin Ahmed, Mr.
Banerji, Mr. P.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Barman, Babu Shyama Prosad.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Dr. J. M.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. Jogesh Chandra.
Hasan Ali Chowdhury, Mr. Syed.
Jalaluddin Hashemy, Mr. Syed.
Jalan, Mr. I. D.
Jonab Ali Majumdar, Maulvi.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mal, Mr. Iswar Chandra.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mookerjee, Dr. Syamaprasad.
Mukerji, Mr. Dhirendra Narayan.
Mukherji, Dr. H. C.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasker, Mr. Hem Chandra.
Nausher Ali, Mr. Syed.
Pain, Mr. Barada Prosanna.
Pramanik, Mr. Tarinicharan.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Sen, Rai Bahadur Jogesh Chandra.
Shamsuddin Ahmed, Mr.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Thakur, Mr. Pramatha Ranjan.
Wahur Rahman, Maulvi.

NOES—120.

Abdul Aziz, Maulana Md.
Abdul Bari, Maulvi.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdulla-Al Mahmood, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hosain Ahmed, Mr.
Abul Quasem, Maulvi.
Aftab Ali, Mr.
Aftab Hossain Joardar, Maulvi.
Ahmed Alinayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed, Hosain, Mr.
Alfazuddin Ahmed, Khan Bahadur, Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Ashrafali, Mr. M.
Aulad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Birkmyre, Sir Henry, Bart.
Blomeostock, Mr. L. M.
Brown, Mr. A. C.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Amukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Farhad Raza Chowdhury, Mr. M.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahaman, Mr.
Fazlur Rahman (Mymensingh), Mr.
Froneh, Mr. F. H.

Gomes, Mr. S. A.
Griffiths, Mr. C.
Gurung, Mr. Damar Singh.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M. B. E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
MacGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Masud Ali Khan Panni, Maulvi.
Miles, Mr. C. W.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Haq, Maulvi Md.
Muhammad Afzal, Khan Sahib, Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Sulaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawabzada, K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Norton, Mr. H. R.
Rahman, Khan Bahadur, A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Razaur Rahman, Khan, Mr.
Ross, Mr. J. B.
Roy, the Hon'ble Sir Bejoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Sanaullah, Dr.
Sarkar, Babu Madhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sassoon, Mr. R. M.
Serajul Islam, Mr.
Shamsuddin Ahmed Khondkar, Mr.
Shamsul Huda, Maulana.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the HOn'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Wordsworth, Mr. W. C.
Yousuf Mirza.
Zahur Ahmed Choudhury, Maulvi.

Mr. SPEAKER: The House now stands adjourned for fifteen minutes for prayer. The result will be announced after the House reassembles.

(At this stage the House was adjourned for fifteen minutes.)

(After adjournment.)

The Ayes being 74 and the Noes 120, the motion was lost.

Mr. SPEAKER: I shall now put the motion of Mr. Dhirendra Nath Datta (motion No. 77) which is exactly the same as the first part of Mr. Jalaluddin Hashemy's motion (No. 79). If this motion is carried, then the other part of Mr. Hashemy's motion will arise; if it is lost, then the other part falls through.

The motion of Mr. Dhirendra Nath Datta that in clause 3(2), in line 1 of the proposed clause (*b*) of section 5, for the word "ten" the word "five" be substituted was then put and a division taken with the following result :—

AYES—71.

Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Ahmed Khan, Mr. Syed.
Asimuddin Ahmed, Mr.
Banerji, Mr. P.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Premhari.
Barman, Babu Shyama Prosad.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chattopadhyay, Mr. Haripada
Chaudhuri, Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Dr. J. M.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Gupta, Mr. Jogesh Chandra.
Hasan Ali Chowdhury, Mr. Syed.
Jainuddin Hashemy, Mr. Syed.
Jalan, Mr. I. D.
Jonab Ali Majumdar, Maulvi.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mal, Mr. Iswar Chandra.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Meekerjee, Dr. Syamaprasad.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. B.
Mukherji, Dr. H. C.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasker, Mr. Hem Chandra.
Pain, Mr. Barada Prosanna.
Paul, Sir Hari Sankar.
Pramanik, Mr. Tarini Charan.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Shahedali, Mr.
Shamsuddin Ahmed, Mr.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Thakur, Mr. Pramatha Ranjan.
Wahiur Rahman, Maulvi.

NOES 113.

Abdul Aziz, Maulana Md.
Abdul Bari, Maulvi.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi. Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdulla-Al Mahmood, Mr.
Abdur Razebid Mahmood, Mr.
Abdur Rashed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Sahood, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hosain Ahmed, Mr.
Aftab Ali, Mr.
Aftab Hosain Jeardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Affazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Ashrafali Mr. M.
Asiad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Birkmyre, Sir Henry, Bart.
Blomentock, Mr. L. M.
Brown, Mr. A. O.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.

Dass, Babu Debendra Nath.
Farhad Raza Chowdhury, Mr. M.
Faziul Huq, the Hon'ble Mr. A. K.
Faziul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Fazlur Rahman (Mymensingh), Mr.
French, Mr. F. H.
Gomes, Mr. S. A.
Griffiths, Mr. C.
Gurung, Mr. Damber Singh.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Mursfed, Mrs., M. B. E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
MacGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Masud Ali Khan Panni, Maulvi.
Miles, Mr. C. W.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Solaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharrauff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsai Haque, Mr Syed.
Mustafa Ali Dewan, Maulvi.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawbzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Norton, Mr. H. R.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Razaur Rahman Khan, Mr.
Ross, Mr. J. B.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Sarkar, Babu Madhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sassoon, Mr. R. M.
Serajul Islam, Mr.
Shamsuddin Ahmed Khondkar, Mr.
Sirdar, Babu Litta Munda.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Wordsworth, Mr. W. C.
Yousuf Mirza.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 71 and the Noes 113, the motion was lost.

The motion of Mr. Puspajit Barma that in clause 3(*2*) of the proposed clause (*b*) of section 5, line 1, for the words "ten councillors" the words "six councillors" be substituted was then put and lost.

The motion of Mr. Khwaja Shahabuddin that in clause 3(*2*), in proposed clause (*b*) of section 5, lines 1 and 2, for the words "ten councillors to be appointed by the Provincial Government" the words "eight councillors to be appointed by the Provincial Government of whom three shall be members of the Scheduled Castes and the remainder shall be appointed" be substituted was then put and agreed to.

The motion of Mr. Santosh Kumar Basu that in clause 3(*2*), in the proposed clause (*b*), line 2, after the word "Government" the following words be added, namely:—"if considered necessary, provided the Chairman of the Calcutta Improvement Trust will be a member *ex-officio*," was then put and lost.

The motion of Mr. Khwaja Shahabuddin that in clause 3(2) in proposed clause (*b*) (*ii*) of section 5, line 2, the words "including backward classes" be omitted was then put and agreed to.

The motion of Mr. Jatindra Nath Basu that in clause 3(2), the proviso to the proposed clause (*b*) of section 5 be omitted was then put and lost.

The motion of Dr. Nalinaksha Sanyal that in clause 3(2) the following proviso be added to proposed clause (*b*) of section 5, namely:—

"Provided further that of the councillors to be appointed by the Provincial Government at least three shall be women of whom one shall be a Muslim, one a Hindu and one Anglo-Indian or European"

was then put and a division taken with the following result:—

AYES—77.

Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Ahmed Khan, Mr. Syed.
Asimuddin Ahmed, Mr.
Banerji, Mr. P.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Barman, Babu Shyama Prosad.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chakraborty, Babu Narendra Narayan.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Chippendale, Mr. J. W.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Dr. J. M.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Gomes, Mr. S. A.
Griffiths, Mr. O.
Gupta, Mr. Jogesh Chandra.
Hasan Ali Choudhury, Mr. Syed.
Jiauddin Ahmed, Khan Bahadur Maulvi.
Jalan, Mr. I. D.
Jonab Ali Majumdar, Maulvi.
Kumar, Mr. Atul Chandra.
Kundu, Mr Nishitha Nath.
Maguire, Mr. L. T.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mal, Mr. Iswar Chandra.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mookerjee, Dr. Syamaprasad.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. B.
Mukherji, Dr. H. C.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Naskar, Mr. Hem Chandra.
Nausher Ali, Mr. Syed.
Pain, Mr. Barada Prosanna.
Pramanik, Mr. Tarinicharan.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kisheri Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Shahedali, Mr.
Shamsuddin Ahmed, Mr.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Narendra Kumar.
Thakur, Mr. Prematha Ranjan.
Wahid Rahman, Maulvi.

NOES—131.

Abdul Aziz, Maulana Md.
Abdul Bari, Maulvi.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdulla-Al Mahmood, Mr.
Abdur Rasahid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hosain Ahmed, Mr.
Aftab Ali, Mr.
Aftab Hosain Joardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Ashrafali, Mr. M.
Aulad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Birkmyre, Sir Henry, Bart.
Blomenstock, Mr. L. M.
Brown, Mr. A. O.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Farhad Raza Chowdhury, Mr. M.
Faziul Huq, the Hon'ble Mr. A. K.
Faziul Quadir, Khan Bahadur Maulvi.
Faziur Rahman, Mr.
Faziur Rahman (Mymensingh), Mr.
French, Mr. F. H.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs. M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Hendry, Mr. David.
Hirtzel, Mr. M. A. F.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
MacGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Masud Ali Khan Panni, Maulvi.
Miles, Mr. C. W.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Solaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Norton, Mr. H. R.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Razaur Rahman Khan, Mr.
Ross, Mr. J. B.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Sarkar, Babu Madhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sassoon, Mr. R. M.
Serajul Islam, Mr.
Shamsuddin Ahmed Khondkar, Mr.
Sirdar, Babu Litta Munda.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, The Hon'ble Mr.
Tofel Ahmed Chowdhury, Maulvi Haji.
Walker, Mr. W. A. M.
Warren, Mr. P. F. S.
Wordsworth, Mr. W. C.
Yousuf Mirza.
Zahur Ahmed Chowdhury, Maulvi.

The Ayes being 77 and the Noes 113, the motion was lost.

The question that clause 3, as amended, stand part of the Bill was put and agreed to.

Clause 4.

Mr. MD. ABUL FAZL: I beg to move that in clause 4, line 1, for the word "for," the word "after" be substituted.

Mr. SPEAKER: What is the purport of your amendment? You can speak a few words

Mr. MD. ABUL FAZL: The purport is that seats may be reserved for Muhammadans in General Constituencies. I do not support separate electorate for Mussalmans If separate electorate is allowed in the Calcutta Corporation, the non-Bengali Mussalmans would come in as councillors in large numbers. At present non-Bengali Mussalmans preponderate in Calcutta as voters and there are very few Bengali Mussalmans The non-Bengali Mussalmans look down upon the Bengali Mussalmans with a superiority complex, and they do not like Bengali Mussalmans at all They do not give them any place anywhere There are several firms owned by non-Bengali Mussalmans in Calcutta, such as the Ispahani firm which employs 300 hands

Mr. SPEAKER: Order, order, that has nothing to do with the amendment

Mr. MD. ABUL FAZL: There are 15 firms in Calcutta owned by non-Bengali Muhammadans in which very few Bengalis are appointed. Those firms employ as many as five or six thousand hands. But the number of Bengali Mussalmans employed by them is very few.

Mr. SPEAKER: That has nothing to do with the amendment. That is the difficulty of moving an amendment like this. You must restrict yourself to your motion You may have some justification to say all that in a general discussion.

Mr. MD. ABUL FAZL: Separate electorate for Mussalmans will give rise to animosity between Hindus and Muhammadans in Calcutta In the present circumstances we want amity and unity to secure independence for this country, and any quarrel with the Hindus would be most disastrous for the future emancipation of Bengal. So, in order to ensure the good-will and sympathy of the Hindus, who are educated and rich, it is in every way desirable that separate electorate should be done away with and joint electorate introduced.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, this question of separate electorate and joint electorate has been

fully discussed by the House, and I feel that the House has already practically given its verdict. I have nothing further to add, and, therefore, I oppose the motion.

The motion of Mr. Md. Abul Fazl that in clause 4, line 1, for the word "for" the word "after" be substituted, was put and a division taken with the following result:—

AYES—67.

Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Ahmed Khan, Mr. Syed.
Asimuddin Ahmed, Mr.
Banerji, Mr. P.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Barman, Babu Shyama Prosad.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Babu Narendra Narayan.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das Gupta, Babu Khagendra Nath
Das Gupta, Dr. J. M.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Gupta, Mr. Jogesh Chandra,
Hasan Ali Chowdhury, Mr. Syed.
Jalaluddin Hashemy, Mr. Syed.
Jalan, Mr. I. D.
Jonab Ali Majumdar, Maulvi.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mal, Mr. Iswar Chandra.
Mandal, Mr. Krishna Prasad.
Maqbul Hosain, Mr.
Mookerjee, Dr. Syamaprasad.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. B.
Mukherji, Dr. H. C.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasker, Mr. Hem Chandra.
Pain, Mr. Barada Prosanna.
Pramanik Mr. Tarinicharan.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Shahedali, Mr.
Shamsuddin Ahmed, Mr.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.

NOES—114.

Abdul, Aziz, Maulana Md.
Abdul Bari, Maulvi.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdulla-Al Mahmood, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rashood, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Shakeed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hosain Ahmed, Mr.
Aftab Ali, Mr.
Aftab Hosain Joardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Ashrafali, Mr. M.
Aulad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Birkmyre, Sir, Henry, Bart.
Blomenstock, Mr. L. M.
Brown, Mr. A. O.

Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Farhad Raza Chowdhury, Mr. M.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Fazlur Rahman (Mymensingh), Mr.
French, Mr. F. H.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs. M. B. E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Hendry, Mr. David.
Hirtzel, Mr. M. A. F.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
Mc Greger, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Masud Ali Khan Panni, Maulvi.
Miles, Mr. C. W
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Morgan, Mr. G.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Solaiman Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary,
Musharruf Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr, Syed.
Mustafa Ali Dewan, Maulvi.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir.
Nooruddin, Mr. K.
Norton, Mr. H. R.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Razaur Rahman Khan, Mr.
Ross, Mr. J. B.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Sarkar, Babu Madhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sassoon, Mr. R. M.
Serajul Islam, Mr.
Shamsuddin Ahmed Khondkar, Mr.
Sirdar, Babu Litta Munda.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Chowdhury, Maulvi Haji.
Walker, Mr. W. A. M.
Warren, Mr. P. F. S.
Wordsworth, Mr. W. C.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 67 and the Noes 114, the motion was lost.

Mr. DHIRENDRA NATH DATTA: Sir, I beg to move that in clause 4, lines 2 and 3, for the words "members of the Scheduled Castes in any general constituency," the words "Muhammadans and members of the Scheduled Castes in any general constituency" be substituted.

In support of my motion, Sir, I shall not inflict a long speech. Immediately before I have moved my motion, judgment has been delivered on it. Still I think that as a lawyer I have a duty even after judgment is delivered. In a similar case——

Mr. SPEAKER: You enter a caveat. (Laughter.)

Mr. DHIRENDRA NATH DATTA: So, I think I should speak, especially because this is a very important matter affecting the interests not only of the citizens of Calcutta but affecting also the interests of the whole continent of India. It seems to me that, as a matter of fact, we are not alive to the interests of the country at large. We are now guided by communal passions without looking into the interests of the country at large. When the future history of India will be written, I am quite sure there will be a black chapter, so far as this Bill is concerned, and it will be written in letters of blood that we have played into the hands of communalists. I fail to understand, Sir, what is the utility of separate electorates in a Municipal Corporation In the civic administration, the interests of the citizens inhabiting the city of Calcutta are completely identical with those in the mufassal areas. I am quite sure that if separate electorate as is contemplated by this Bill is introduced, the interests of the citizens of Calcutta will be jeopardised in the interests of a few persons, the exploiters of our country. Everybody who has the good of the country at heart must support joint electorate, because a feeling of unity will grow in our hearts if there be joint electorate. Some day each member of the Coalition Party will have to repent; most of them come from mufassil areas and do not care to look to the interests of the citizens of Calcutta, but they do not realise their mistake. By introducing separate electorates, they are introducing a thing which will be harmful not only to the citizens of Calcutta but also to the rural people of Bengal. If this principle of separate electorate be followed in the mufassil areas and in other self-governing institutions, I am quite sure that there will be a great setback in the country. The enemies of India, namely, the foreign exploiters, want separate electorate because they know that in this way they will be getting the balance of power. It is well known, Sir, that for the administration of this province Government have to depend on the foreign exploiters as Government cannot afford to displease them, and now for the municipal administration of the city of Calcutta we shall have to depend upon the foreign exploiters. The interests that is being evinced by the foreign exploiters in this Bill clearly goes to show that they are fully alive to the importance of this Bill, so far as they are concerned, but we, the citizens of Calcutta, Hindus and Muslims, do not understand our position. Sir, I know that it is useless to protest, because Government are determined to pass this Bill. They are like the man who says, "I am going to be drowned. Nobody can save me." I repeat, Sir, that when the future history of India is recorded, there will be a black chapter, so far as this Bill is concerned.

With these few words, Sir, I commend my motion to the acceptance of the House.

Dr. NALINAKSHA SANYAL: Mr. Speaker, Sir, I rise to support the motion of Mr. Dhirendra Nath Datta.

Sir, the position is this: The clause seeks to change the character of reservation from the body of the Act. Section 8 of the Act runs as follows: "The elected Councillors shall be elected by the constituencies specified in Schedule III, and the number of councillors to be elected by each constituency and the number of seats to be reserved for Muhammadans in any constituency shall be as stated therein against that constituency."

By just cleverly adding the words "members of the Scheduled Castes in any general constituency" for the words "Muhammadans in any constituency" the whole object has been to take away the reservation for the Muhammadans in a joint electorate and substitute therefor the reservation for the Scheduled Castes. The whole principle underlying this is so vital that I submit, Sir, that a clause like this should not be passed over lightly. It looks inoffensive because it seeks only to substitute "Scheduled Castes" for "Muhammadans," but, in effect, it takes away the entire Muhammadan community from the pale of joint electorate which we have been enjoying during the last two general elections in the Calcutta Corporation. And what will be the effect? The effect will be that a new principle will be introduced—a principle which will cut at the very root of a most well-thought-out compromise that the late Sir Surendra Nath Banerji had at one time laid down after having had the various communities to have their full say during the intervening period. I submit, Sir, that before we take away such a valuable right of the Muhammadan community to elect a Hindu representative if it so chooses, we must seriously consider what it will lead to in the whole country as well as in Calcutta in particular. In all seriousness, I would like those of our friends of the Coalition Party who come from East and North Bengal, where the Muhammadan population preponderates, to examine what would be its reaction in their own respective places. (THE HON'BLE MR. A. K FAZLUL HUQ: They know that.) Probably, many of them have realised that this Bill is only pressed because Government have submitted to the *zid* of one or two members— . (The Hon'ble Mr. A. K. FAZLUL HUQ: They know it very well.) Let the Chief Minister not get excited. He will have his own time for excitement. Let me for the time being explain to him and his party how we feel about it. I have got an opportunity to rebuke the Chief Minister. Why should I not seize it? (Laughter.)

To-day, in Bengal, the healthy principle of joint electorate has been the rule in all local bodies, in the district boards, local boards, municipalities, union boards in the mufassil areas, as well as in Calcutta

As a result of that, Hindus and Mussalmans in the rural areas have begun to think that they have got common interests while they go to vote. In fact, many of them were quite surprised when they found that under the Government of India Act, they were not permitted to exercise their vote for respective candidates of other communities——

The Hon'ble Mr. A. K. FAZLUL HUQ: On a point of order, Sir. Have we not heard all these arguments a hundred times in this House, and what is the good of repeating them here?

Dr. NALINAKSHA SANYAL: You will have to hear them a hundred and oneth time more.

Sir, in our rural areas, during the last general election to this Legislature, I know how enthusiastically numerous Muslim rural people rushed to the polls only to find that they had no votes in the General Hindu Constituencies and they were disappointed. Many of them, I assure you, because they found that they were not permitted to vote themselves, went and worked for the Hindu candidates and particularly for the Congress candidates (CRIES OF "No! No!" from the Coalition Benches) because they knew that Congress was going to help the suffering humanity, the indigent masses of the rural areas. I would like the House to visualise the great national unity which would follow from joint electorate, the fruits of which we have witnessed in the union board and local board elections. There are numerous friends on the opposite who themselves will bear me out how amicably, how on the best of terms, they had run elections jointly with Hindu candidates with whom they made a pact. If to-day we through our wisdom or unwisdom, as the House will see it, do away with that healthy atmosphere in the whole of Bengal, there would be no end of trouble, no end of misery for the masses of the people. I submit, Sir, if to-day this principle which is sought to be introduced in the Calcutta Corporation is claimed to be introduced in the rural areas, communalism will run amock and bloodshed and internecine fight will be the rule and no peaceful life in this province will be possible. (Cries of "Oh! Oh!" from the Coalition Benches.) Even in the rural areas of East Bengal—it might be news to some members of the Coalition Party, but it is no news to people who keep information aright—there are communal Hindus who to-day are claiming for separate electorate because Hindus who are getting elected there are not ordinarily prepared to pander to communal feelings. As a matter of fact, I do not exactly know the position, but I am told by my friend Mr. Shamsuddin Ahmed, the Hindu Mahasabha has actually claimed separate electorate. This may or may not be true but it is quite true that communal Hindus are

claiming separate electorate in East Bengal and North Bengal. Now, Sir, will our members of the Government Party apply one principle here in Calcutta and, at the same time, be in a position to resist the claims of those communal Hindus who on the same ground of minorities being neglected, try to seek separate electorate in East and North Bengal? Will they give that privilege to the Hindus in those places——

The Hon'ble Khwaja Sir NAZIMUDDIN: Surely.

Dr. NALINAKSHA SANYAL: They know very well that they will not, as that would be suicidal

Sir, the population of Calcutta during the last two terms have been living in most friendly terms There have been no communal riots or tension of communal feelings, although serious attempts had been made to raise communal bogies Riots could not be engineered even, though some hirelings of certain members of the Cabinet tried their utmost to foment these ("Question, question" from the Coalition Benches) simply because the citizens of Calcutta knew that their interests lay together (Interruptions from the Coalition Benches).

Mr. SPEAKER: I am afraid, Dr Sanyal, you are going beyond the purview of the question

Dr. NALINAKSHA SANYAL: Sir, I was compelled to digress because of certain remarks from the other side Coming back to the question now before the House, I submit that of the total electors numbering 67,688, according to the last electoral roll, the total Hindu electors number 59,007 and the Muhammadan electors number 8,681, whereby the percentage of Muhammadan electors works out at about 13 per cent as against 87 per cent. for the non-Muhammadan electors. Of the total population, about 25 per cent. are Muslims and the other communities claim the remaining 75 per cent. By no stretch of imagination a community that has got 25 per cent. only of the population and, at most, 13 per cent. of votes at their command, and, who, I understand from statistics supplied on good authority, contributes only 5 per cent. of the total rates can expect to command a majority. The total rates of Calcutta according to the preliminary demand for 1938-39 including Howrah Bridge tax amount per quarter to Rs. 48,93,844-10-9. Out of this Muhammadans contribute Rs 2,45,439-13-6 This accounts for 5·10 per cent. only. I do not want to stand on these grounds to show that the

Muhammadans have not got enough claim for representation. I only want to draw your attention to the fact that while you notice that 95 per cent. of the rates is paid by Hindus or non-Muhammadans, while 13 per cent. only are the voters from among the Muslim community and while only 25 per cent. is the population of Muslims, the Muslims of Calcutta must necessarily live, if they want to live peacefully and happily, through friendly arrangements with the Hindus in the city. This is not merely in the interest of peace of the city as a whole, of peaceful work in the different avocations in this greatest city in the East, but also in the specific interests of the Muslims themselves. Sir, if you want to extend civic privileges to the Muslims to an adequate extent, it is only fair that the Hindus, who contribute most, who have got the largest number of population proportionately, and who have got also a very preponderating number of votes at their command, should not be unnecessarily antagonised. I may remind you that no amount of military force or governmental force will be able to stop the great mischief that is likely to result from forcing a most unfair and unjust measure through the House. I do not want to hold out any threat; but I may say this much, knowing the popular mind as we do and which some of our friends opposite seek to ignore, that the popular mind is not going to be coerced through threats of military or police power. The public of Calcutta, the Hindu citizens of Calcutta, the young men of Bengal—they have shown more than once how they can meet terrorism from the side of the Government and they have demonstrated when the time came how best to fight injustice and they have also shown to the complete satisfaction of those who cared to rule that they were not going to be cowed down in any way. There are numerous ways in which Government can be paralysed. I want Government to realise that it will not be an easy job for them to peacefully administer the city of Calcutta if they do not frame their laws, their measures, on the basis of substantial social justice. I submit, Sir, that joint electorate be retained. So far as the Congress Party is concerned (At this stage the honourable member reached his time-limit, but was given another half a minute.) it would do everything possible to maintain the healthy relationship between communities and communities and we would like to know what price our friends would take. Would they take jobs? We will be prepared to give them more jobs. If they are willing to have contracts, we will be prepared to give them due share in the contracts. If they like to have a certain number of seats in the Corporation, we will be prepared to increase their number of seats. Let us approach that question in that spirit. Let us depart to-night and let the Hon'ble the Chief Minister call a round table conference of leaders of different groups. Let us maintain joint electorates at any cost. If we once yield on this grave issue,

It will be shattered into pieces and the friendly relationship between communities and communities that is yet possible will be gone for ever.

Mr. C. GRIFFITHS: Mr. Speaker, Sir, speaking on the motion before the House, this Bill puts me in mind of the Irishman, who when asked to share four drinks among an Englishman, Scotchman and himself said: "Two for your two and two for me too."

The Nawab Bahadur of Dacca surpasses the Irishman for in dividing 71 territorial seats among the Hindu, Moslem and Anglo-Indian, he appropriates 22 seats, in spite of the fact that the Moslems only total 13 per cent. of the voters in the Calcutta Corporation, and therefore they could only be entitled to 9 seats. Again, if we were to consider the total amount of taxes paid, we find that the Moslems pay 5 per cent. and on this reckoning should not get more than 4 seats.

Mr. SPEAKER: Order, order. We are not discussing now the number of seats. You cannot discuss it here. We are discussing a specific amendment about joint electorate.

Mr. JOGESH CHANDRA GUPTA: Kindly allow him to go on; it is his opportunity.

Mr. SPEAKER: I am afraid you cannot blow hot and cold in the same breath. You must speak only on the issue as to whether there should be separate or joint electorate and leave the number out. I may give you an opportunity in the third reading.

Mr. C. GRIFFITHS: Very well, Sir, I shall speak later: but I might inform you that the previous speaker just gave the House these figures. It was Dr. Sanyal.

Babu NARENDRA NARAYAN CHAKRABARTY: মাননীয় সভাপতি মহাশয়,আজকে, আমার মনে হয়, Municipal Amendment Bill এর সব চেয়ে প্রয়োজনীয় বিষয়ের আলোচনায় আমরা এসে পোড়েছি। এই আলোচনা কোরতে গিয়ে আমার একটা গল্প মনে পোড়ছে। আয়র্লণ্ডের ইতিহাসে বিংশ শতাব্দীর প্রারম্ভে যখন যুবক আইরিসরা দেশকে স্বাধীন করবার জন্য উৎগ্রীব হয়ে উঠ্‌লো, তখন তারা একটা দল গঠন কোরেছিলো। সেই দলের যে কি নাম হবে সেইটে জানবার জন্য একটি গ্রাম্য পণ্ডিতের কাছে সেই দল যেয়ে হাজির হয়। সেই গ্রাম্য পণ্ডিত তখন তাদের বোল্‌লেন, "আমি তো ইংরেজী বা অন্যান্য বিদেশী সাহিত্যের বড় বড় কেতাব পড়িনি; আমি তোমাদের কাছে শুধু একটি গল্প কোরতে পারি।" তারপরে তিনি বোল্‌লেন• একজন গৃহস্থের একটা ঘোড়া ছিলো। সেই ঘোড়াটাকে বাজারে বিক্রয় করবার জন্য তিনি তাঁর চাকরকে পাঠালেন। দিন তিনেক পরে সেই চাকর ঘোড়াটি বিক্রয়ের মূল্যস্বরূপ গৃহস্বামীকে যে টাকা দেয় তাতে গৃহস্বামী

Muhammadans have not got enough claim for representation. I only want to draw your attention to the fact that while you notice that 95 per cent. of the rates is paid by Hindus or non-Muhammadans, while 13 per cent. only are the voters from among the Muslim community and while only 25 per cent. is the population of Muslims, the Muslims of Calcutta must necessarily live, if they want to live peacefully and happily, through friendly arrangements with the Hindus in the city. This is not merely in the interest of peace of the city as a whole, of peaceful work in the different avocations in this greatest city in the East, but also in the specific interests of the Muslims themselves. Sir, if you want to extend civic privileges to the Muslims to an adequate extent, it is only fair that the Hindus, who contribute most, who have got the largest number of population proportionately, and who have got also a very preponderating number of votes at their command, should not be unnecessarily antagonised. I may remind you that no amount of military force or governmental force will be able to stop the great mischief that is likely to result from forcing a most unfair and unjust measure through the House. I do not want to hold out any threat; but I may say this much, knowing the popular mind as we do and which some of our friends opposite seek to ignore, that the popular mind is not going to be coerced through threats of military or police power. The public of Calcutta, the Hindu citizens of Calcutta, the young men of Bengal—they have shown more than once how they can meet terrorism from the side of the Government and they have demonstrated when the time came how best to fight injustice and they have also shown to the complete satisfaction of those who cared to rule that they were not going to be cowed down in any way. There are numerous ways in which Government can be paralysed. I want Government to realise that it will not be an easy job for them to peacefully administer the city of Calcutta if they do not frame their laws, their measures, on the basis of substantial social justice. I submit, Sir, that joint electorate be retained. So far as the Congress Party is concerned (At this stage the honourable member reached his time-limit, but was given another half a minute.) it would do everything possible to maintain the healthy relationship between communities and communities and we would like to know what price our friends would take. Would they take jobs? We will be prepared to give them more jobs. If they are willing to have contracts, we will be prepared to give them due share in the contracts. If they like to have a certain number of seats in the Corporation, we will be prepared to increase their number of seats. Let us approach that question in that spirit. Let us depart to-night and let the Hon'ble the Chief Minister call a round table conference of leaders of different groups. Let us maintain joint electorates at any cost. If we once yield on this grave issue,

মমতা নিঃশেষ হয়ে যায় নি। আমি জানি এখানে অন্যান্য যে সমস্ত সহকর্ম্মী আছেন তাঁরাও প্রত্যেকটী লোকে বাঙালী হিসেবে পরিচয় দিয়ে নিজেদের গৌরবান্বিত মনে করেন। বাংলার সভ্যতা ও আদর্শের তাঁরাও উত্তরাধিকারী, বাংলার স্বার্থ তাঁদের সব চেয়ে বড় স্বার্থ। আজ জাতির উত্থান পতনের এই যুগ সন্ধিক্ষণে নিজেদের মূঢ়তা ও অবিবেচনা দ্বারা সমগ্র জাতিকে হত্যা করলে অনন্তকাল ধরে আমাদের সে দুঃসহ কলঙ্কের ভাগী হয়ে থাকতে হবে সেই কথা স্মরণ করে, আমি নিবেদন কোরছি—জাতির এই সঙ্কট মুহূর্ত্তে আজ তাকে যেন তাঁরা সর্ব্বনাশের পথে পরিচালিত না করেন। সোজা কথায়, আমরা যখন গ্রামে যাই হিন্দু আর মুসলমান কৃষকেরা যারা নাকি পাশাপাশি বাস করে, একত্র কাজ করে—পরস্পর পার্থক্যের বিষয় তারা কিছুই বুঝে না, চিন্তাও করে না। সেখানে হিন্দু কৃষক তার একটা গোরু যদি মোরে যায় তখন মুসলমান কৃষকের গোরু নেবার বেলায় এটা মুসলমানের গোরু—এই কথা বোলে চুপটী কোরে সে কি বোসে থাকে? মুসলমান কৃষকও যখন এই অবস্থায় পতিত হয় তখন সেও এ বিচার করে না যে এটা হিন্দুর গোরু—অতএব এ গোরুর সাহায্যে চাষ কোরবো না। সেখানে তাদের প্রয়োজন চাষ করা, তাদের প্রয়োজন,—শস্য বা ফসল উৎপন্ন করা, প্রয়োজন জীবিকার সংস্থান করা, সেখানে হিন্দুর গোরু কি মুসলমানের গোরু এ প্রশ্নই উঠে না। এইভাবে পাশাপাশি হিন্দু মুসলমানের অনুশীলন ও কৃষ্টি স্বাভাবিক নিয়মে গোড়ে উঠেছে, জাতির সম্পদকে এতদিন বৃদ্ধি কোরে এসেছে। সহসা এই স্বাভাবিক স্বচ্ছন্দ গতিকে বাধা দেবার যে কুট প্রচেষ্টা এর চেয়ে আত্মঘাতী উদ্যম আর কি হোতে পারে?

বাংলায় আজ দুর্দ্দিন অনেক দিক থেকেই ঘনিয়ে এসেছে। অনেক দিকের অনেক কিছু আঘাত সত্ত্বেও তাকে আত্মরক্ষা কোরতেই হবে। এবং তারজন্য চাই বিভিন্নমুখী দলগুলির মধ্যে আপাতবিরোধিতার ভিতরেও সংহতি। যত বড়ই হোক্ না কেন, আমাদের এই কংগ্রেস পার্টি বা কোয়ালিশন পার্টি হয়তো কিছু দিন পরই লুপ্ত হোয়ে যাবে, কিন্তু বাঙালী জাতি চিরদিন বেঁচে থাকবে। তুমি Chief Minister যিনি তিনি আজ আছেন, কালই হয়তো চলে যাবেন, কিন্তু তাঁর কার্য্যধারা চিরদিন জাতিকে তাঁর কথা স্মরণ করিয়ে দেবে। চিরদিন ধোরে ভবিষ্যৎ বংশধরের অভিশাপবহ্নি তাঁর ললাটে যাতে না জেগে থাকে আশা করি তিনি সেইরূপ কর্ম্মধারাই অবলম্বন কোরবেন। নিজেদের মধ্যে কলহ যাতে স্থায়ী না হয় তিনি তারই বিধান কোরবেন।

আজ যখন আমাদের এই আত্মকলহের কথা ভাবি তখনি নিরাশ হোয়ে পড়ি। আজ বিদেশীরা দেখছে যে নিজেদের মধ্যে করপোরেসনের দুটো সিট নিয়ে কী কাড়াকাড়িই না এরা কোরছে? এরাই চায় স্বরাজ? এরাই দেখছে স্বাধীনতার স্বপ্ন? যখন দুনিয়ার সমস্ত জাতি নিজেদের স্বাধীনতা রক্ষার জন্য, নিজ নিজ সমাজকে স্থায়ী করবার জন্য উদ্গ্রীব সেই সময় এরা ঝগড়া কোরে মোরছে কিনা সামান্য কটা চাকরি নিয়ে? আমার এ বিষয়ে বলবার ক্ষমতা আছে জানি না, কিন্তু এটুকু বোলতে পারি যে কংগ্রেসের প্রত্যেকটী লোক এই পরিষদগৃহে বোসে লিখে দেবে যে, কর্পোরেশনের একটা চাকরীও আগামী ৫০ বছরের মধ্যে আমরা চাই না। (Hear hear.) আপনারা কি একথা বিশ্বাস কোরতে পারেন না? আপনারা কি জানেন না যে হিন্দুর ছেলে স্বাধীনতার জন্য ফাঁসিকাষ্ঠে উঠেও বন্দেমাতরম গান গায়? আপনারা কি বিশ্বাস কোরতে পারেন না যে, যে হিন্দুর ছেলে নিজের মা, বাপ, ভাই, বোনের দিকে তাকায় না, পত্নী, প্রিয়জন ও গৃহের কথা ভুলে দেশপ্রেমে পাগল হোয়ে নিজেকে একেবারে নিশ্চিহ্ন কোরে মুছে ফেলতে পারে, তার কাছে চাকরীর কথা কতখানি তুচ্ছ? নিজের দেশের স্বাধীনতাকেই যে সব চেয়ে বড় মনে করে, স্বাধীনতার চাইতে বড় ও প্রিয় যে কিছুই ভাবতে পারে না, সে যে ছোট খাটো এই সব সুখ দুঃখকে পায় দলেই চলতে থাকে, বর্ত্তমান মন্ত্রীমণ্ডলী একথা ভাবতে না পারতে পারে—কিন্তু তথাপি একথা সত্য।

এই সভার সভ্য এবং মন্ত্রীমহাশয়গণ বাঙালী বোলে যাঁরা গর্ব্ব অনুভব করেন, বাঙালীর কীর্ত্তিকলাপ ও বাঙালীর পিতৃমাতৃত্বে যাঁরা গৌরবান্বিত তাঁদের সকলের নিকট আমার নিবেদন বাংলাকে হত্যা করবার এই ঘৃণিত প্রস্তাবের দুঃসহ অপমান থেকে জাতিকে রক্ষা করুন। ভবিষ্যতে বাঙ্গালী আপনাদের আশীর্ব্বাদ করবে।

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, I have already explained the position before, and I don't think it is necessary for me to say anything more in regard to the question of separate electorate and joint electorate as the House has already discussed it. My friend Dr. Nalinaksha Sanyal has said that the Government are going for terrorism. I wish to explain my position. I have never used any word of threat, in moving this Bill or in putting up my case, to any community but I can assure him that the threat which he has used will not frighten us on this side. By threats no Mussalman has yet been cowed down. Here I am speaking as a Minister and I say that——

Babu NARENDRA NARAYAN CHAKRABARTY: The threat was made to the British Government and not to the Mussalmans.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: We have not used any threats on this side, and I am surprised at the threats used by him.

Mr. SANTOSH KUMAR BASU: You have indicated your mind though you have not used any words of threat.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I regret that it has been used. I have already explained that the Mussalmans have demanded separate electorate and they have for a very long time insisted that separate electorate should be given to them. This question has been well-talked over in this House, and I do not want to speak on this subject because it has already been discussed thoroughly. Sir, I oppose this motion.

The motion of Mr. Dhirendra Nath Datta that in clause 4, lines 2 and 3, for the words "members of the Scheduled Castes in any general constituency" the words "Muhammadans and members of the Scheduled Castes in any general constituency" be substituted was put and lost.

The question that clause 4 do stand part of the Bill was put and a division taken with the following result:—

AYES—114.

Abdul Aziz, Maulana Md.	Abdul Jabbar, Maulvi.
Abdul Hakim, Maulvi.	Abdul Karim, Mr.
Abdul Hakim Vikrampuri, Maulvi Md.	Abdul Latif Biswas, Maulvi.
Abdul Hamid, Mr. A. M.	Abdul Malik, Mr. Syed.

Abdul Wahab Khan, Mr.
Abdulla-Al Mahmood, Mr.
Abdul Rahman, Khan Bahadur A. F. M.
Abdur Raschid Mahmood, Mr.
Abdur Rashood, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Shahood, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hosain Ahmed, Mr.
Aftab Ali, Mr.
Aftab Hossain Jeardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Ashrafali, Mr. M.
Aulad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Birkmyre, Sir Henry, Bart.
Blomenstock, Mr. L. M.
Brown, Mr. A. O.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Farhad Raza Chowdhury, Mr. M.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Fazlur Rahman (Mymensingh), Mr.
French, Mr. F. H.
Gomes, Mr. S. A.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hosina Murshed, Mrs., M. B. E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Hendry, Mr. David.
Hirtzel, Mr. M. A. F.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
MacGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Masud Ali Khan Panni, Maulvi.
Miles, Mr. C. W.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Morgan, Mr. G.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Solaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir.
Nooruddin, Mr. K.
Norton, Mr. H. R.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Ross, Mr. J. B.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Sarkar, Babu Madhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sassoon, Mr. R. M.
Serajul Islam, Mr.
Shamsuddin Ahmed Khondkar, Mr.
Sirdar, Babu Litta Munda.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Warren, Mr. P. F. S.
Wordsworth, Mr. W. C.
Zahur Ahmed Choudhury, Maulvi.

NOES—66.

Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazal, Mr. Md.
Ahmed Khan, Mr. Syed.
Asimuddin Ahmed, Mr.
Banerji, Mr. P.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Premhari.
Basu, Mr. Santosh Kumar.
Bhaumik, Dr. Gobinda Chandra.
Biswas, Mr. Kanik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.

Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Dr. J. M.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. Jogesh Chandra.
Hasan Ali Chowdhury, Mr. Syed.
Jalaluddin Hashemy, Mr. Syed.
Jaffar, Mr. I. D.
Jonab Ali Majumdar, Maulvi.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mal, Mr. Iswar Chandra.
Maqbul Hosain, Mr.
Meekerjee, Dr. Syamaprasad.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. B.
Mukherji, Dr. H. C.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasker, Mr. Hem Chandra.
Paul, Sir Hari Sanker.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Shahedali, Mr.
Shamsuddin Ahmed, Mr.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.

The Ayes being 114 and the Noes 66, the motion was agreed to.

Adjournment.

The House was then adjourned till 4-45 p.m. on Friday, the 5th May, 1939, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 5th May, 1939, at 4-45 p.m.

Present:

Mr Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 11 Hon'ble Ministers and 215 members.

STARRED QUESTIONS

(to which oral answers were given)

Promotion of senior Muslims to higher grade posts in Dinajpur Collectorate.

***418. Maulvi ABDUL JABBAR:** (*a*) With reference to the reply to clause (*d*) of starred question No. 318 of the current session of the Assembly, is the Hon'ble Minister in charge of the Revenue Department aware that there have already been cases where non-Muslims were promoted in the Dinajpur Collectorate in supersession of the claims of senior Muslim clerks in the lower grade.

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason therefor?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) Yes and in supersession of the claims of non-Muslim clerks also.

(*b*) Promotion is made on merit.

Mr. PROMATHA RANJAN THAKUR: Will the Hon'ble Minister be pleased to state whether it is not a fact that the length of service is taken into consideration along with merit while making these promotions?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is purely merit, Sir. The length of service in the case of a man who has served meritoriously for a long time is also, however, taken into consideration.

Mr. PROMATHA RANJAN THAKUR: My question is whether both are taken into consideration.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Not always both.

Maulvi ABDUL JABBAR: With reference to answer (*a*), will the Hon'ble Minister be pleased to state in how many cases Muslim and non-Muslim clerks have been superseded?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The total number of Hindu clerks superseded is very large. I can add up the figures which are 5, 22, 11, 6, 7, 9, 17 and 9. That is the number of Hindu clerks. In the case of Muslim clerks the figures are 2, 10, 6, 2, 5, 5, 10 and 6. So, the number of Hindu clerks superseded is 86, as against 46 Muslim clerks.

Mr. PROMATHA RANJAN THAKUR: Will the Hon'ble Minister be pleased to state if it is a fact that in all cases of promotions in service no communal question is taken into consideration but only merit is taken into account?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir.

Maulvi ABDUL JABBAR: With reference to answer (*b*), will the Hon'ble Minister be pleased to state whether any examination is held for testing the merit of the clerks and, if not, will he please state what test is applied for the purpose of promotion?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I do not think that any examination is held, but the officers use their own discretion in selecting candidates.

Mr. PROMATHA RANJAN THAKUR: Is the Hon'ble Minister aware that many promotions have been made simply because such-and-such candidates belong to a particular community which Government want to favour?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir, Government repudiate that insinuation entirely.

Mr. SPEAKER: That is too vague a question.

Maulvi ABDUL LATIF BISWAS: With reference to answer (*b*) and the answer just now given, will the Hon'ble Minister be pleased to state whether merit is judged by the remarks of the Sheristadar?

Mr. SPEAKER: That question does not arise. You have asked that question several times before. (Laughter.)

Re-employment of retired men and extensions of services.

***419. Mr. AHMED HOSAIN:** (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to state how many retired Government servants are at present in the employ of the Government?

(*b*) In view of the widespread unemployment in the country, are the Government contemplating their discharge and provision of new hands instead?

(*c*) Are the Government considering the desirability of stopping—

(*i*) the appointment of retired servants in future in all its branches; and

(*ii*) the practice of giving extensions?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Mr. Nalini Ranjan Sarker): (*a*) I am informed that the number is 17

(*b*) Government have no intention of retaining these men in service a day longer than is absolutely necessary in the interests of public service I am informed that barring a night watchman who will be retained in service as long as he remains fit and efficient, all others will be discharged by the 29th February, 1940. In fact seven officers will go by the end of May, five by the end of June, one by the end of August, and two by the end of September. The remaining one will also go by the end of February, 1940.

(*c*) As a general rule all proposals involving the grant of extensions to officers beyond the age of superannuation and all proposals involving re-employment of retired officers are negatived. It is not, however, possible to observe this rule invariably in every case, as in some very special cases public interests may require that a person with experience be employed to a new office created for the first time. Such cases, however, are subjected to a very strict scrutiny, and the proposal is not agreed to unless it is clearly demonstrated that it is based solely on the grounds of public interest and not in the interests of any individual officer and unless alternative proposals are thoroughly examined and found unworkable.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state how many out of these 17 officers are Muslims and how many are Hindus?

Mr. SPEAKER: That question does not arise.

Babu NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state whether these Government servants belong to the superior grade or are menials?

Mr. SPEAKER: Apparently, one night watchman has been included.

The Hon'ble Mr. NALINI RANJAN SARKER: Yes, Sir, there is one night watchman.

Mr. J. N. GUPTA: Is the Hon'ble Minister aware that during the time of Sir John Woodhead, Finance Member of the late Government, there was an order that clerks may generally work up to the age of 60 years so long as they are not declared physically unfit or inefficient?

The Hon'ble Mr. NALINI RANJAN SARKER: I am not aware of any such order, but that does not affect the present position.

Mr. ABDUL WAHAB KHAN: With reference to answer (*b*), will the Hon'ble Minister be pleased to tell us whether a number of Deputy Magistrates, who had retired and who were re-employed, are being given extension for a further period of service?

The Hon'ble Mr. NALINI RANJAN SARKER: No, Sir.

Babu KSHETRA NATH SINCHA: Will the Hon'ble Minister be pleased to state how a retired Police Inspector is considered specially fitted for the post of Debt Conciliation Officer?

Mr. SPEAKER: That question does not arise. That is purely hypothetical.

Mr. J. N. GUPTA: Will the Hon'ble Minister be pleased to state what age is considered as superannuation age?

The Hon'ble Mr. NALINI RANJAN SARKER: Fifty-five under the present rules.

Mr. J. N. GUPTA: May I ask since when this order has been promulgated?

The Hon'ble Mr. NALINI RANJAN SARKER: I do not know the date, but that order is in force.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state if it is a fact that sometimes it is cheaper and profitable to re-employ retired servicemen?

The Hon'ble Mr. NALINI RANJAN SARKER: Yes, sometimes it is.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Head Assistants and Judicial Head Clerks in district offices in Bengal.

185. Mr. ABDUR RASCHID MAHMOOD: (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state the total number of Head Assistants and Judicial Head Clerks in the district offices of Bengal?

(*b*) How many of them are Mussalmans?

(*c*) (*i*) The number of Upper Division clerks in the district offices serving as—

(1) Assistant Accountant,

(2) Nazir,

(3) Tauzi Navis,

(4) Revenue Head Clerks and Second Assistants,

(5) Judicial Peshkar,

(6) Revenue Peshkar,

(7) Record-keeper, and

(8) Subdivisional Head Clerks?

(*ii*) How many of them are Muhammadans?

(*iii*) How many of them are on extensions?

(*d*) The names of Upper Division clerks on extension with the names of offices to which they are now attached and the number and period of extensions granted to each of them?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) 29.

(*b*) 8.

(*c*) (*i*) and (*ii*)

		Number of Upper Division clerks.	Number of Muslims.
(1)	.. ..	17	5
(2)	.. ..	28	7
(3)	.. ..	26	10
(4)	.. ..	22	3
(5)	.. ..	26	5
(6)	.. ..	26	1
(7)	.. ..	26	10
(8)	.. ..	59	18
	Total ..	230	59

(*iii*) None.

(*d*) Does not arise.

Location of the office of Conservator of Forests at Darjeeling.

186. Mr. ISWAR CHANDRA MAL: (*a*) Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to state—

(*i*) the reasons for which the office of the Conservator of Forests was removed to Darjeeling from Calcutta in 1937;

(*ii*) how far the expectations, if any, then held out have been fulfilled;

(*iii*) the expenses incurred during 1936-37, 1937-38 and 1938-39 respectively on account of—

(1) the pay and travelling allowances separately of the Conservator of Forests, the Deputy Conservator, and

(2) rent and establishments for the Conservator's office;

(*iv*) whether it is a fact that the Conservator has to come to Calcutta many times during the year; and

(*v*) whether any administrative inconvenience has been experienced on account of the location of Conservator's office in Darjeeling?

(*b*) Do the Government consider the desirability of bringing back the said office in Calcutta at an early date?

MINISTER in charge of the FOREST and EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikut): (*a*) (*i*) The Northern Circle, which contains the most valuable forests, is more easily accessible from Darjeeling than from Calcutta for the purpose of control and inspection. To the Southern Circle also, except Khulna, the journey from Darjeeling does not take a great deal longer than the journey from Calcutta. Moreover Darjeeling is cheaper than Calcutta.

(*ii*) The expectations have been realised

(*iii*) A statement is laid on the table.

(*iv*) The Senior Conservator visited Calcutta 6 times and the Conservator, Southern Circle, 13 times during the year 1938-39.

(*v*) and (*b*) No.

Statement referred to in the reply to clause (iii) of unstarred question No. 186 showing the expenses incurred during 1936-37, 1937-38 and 1938-39 on account of the pay and travelling allowances of the Senior and Junior Conservators of Forests, Bengal, and rent and establishments for the Conservator's office.

	1936-37 in Calcutta.	1937-38 in Darjeeling	1938-39 in Darjeeling.
	Rs.	Rs.	Rs.
Senior Conservator of Forests, Bengal—			
Pay .	25,860	25,860	23,524
Travelling allowance ..	4,243	2,936	3,254
Junior Conservator of Forests, Bengal—			
Pay ..	Nil	23,924	23,924
Travelling allowance ..	Nil	3,057	2,731
Office establishments .	29,267	31,455	29,843
Rents ..	7,376	2,100	2,100

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state what were the assurances given, if any, by the department that expenses would be reduced after the office was removed to Darjeeling?

The Hon'ble Mr. PRASANNA DEB RAIKUT: None, Sir.

Dr. NALINAKSHA SANYAL: Sir, I could not follow the answer. Is it that no assurance was given?

The Hon'ble Khwaja Sir NAZIMUDDIN: The answer is in the negative.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if there was any expectation either of administrative convenience or of economy in the matter of removal of the office from Calcutta to Darjeeling?

The Hon'ble Mr. PRASANNA DEB RAIKUT: Yes, Sir,—efficiency and administrative convenience.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the convenience referred to is that of the officer concerned or that of the department as a whole?

The Hon'ble Mr. PRASANNA DEB RAIKUT: Administrative convenience.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that this officer, when he comes to Calcutta, as he has been required to come six times, brings his motor car and takes fare for the motor car right from Darjeeling to Calcutta and back?

Mr. SPEAKER: Dr. Sanyal, please put your question in a proper form.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that this officer brings his motor car right from Darjeeling to Calcutta and takes it back when he comes to Calcutta on official visits?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I am not aware of it.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state the amount of expenditure separately shown under travelling allowance for railway fare and for his motor car and other articles conveyed?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I want notice for this.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that this office was once formerly proposed

to be transferred to Darjeeling and Government, after enquiry, at that time, found that it would not make for administrative convenience?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I am not aware of it.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Miniters be pleased to state, by way of further eliciting information contained in answer (*a*), how is tour to Chittagong Hill Tracts and Chittagong district as well as Khulna becomes easier from Darjeeling than from Calcutta?

The Hon'ble Mr. PRASANNA DEB RAIKUT: It is stated there.

Dr. NALINAKSHA SANYAL: I want to have it further explained.

The Hon'ble Mr. PRASANNA DEB RAIKUT: I have nothing further to add.

Dr. NALINAKSHA SANYAL: Sir, I want the Hon'ble Minister to give me some explanation as to how it becomes cheaper or more convenient for a person to administer such districts as Midnapore, Khulna, 24-Parganas and Chittagong from Darjeeling than from Calcutta.

The Hon'ble Mr. PRASANNA DEB RAIKUT: The answer is there, and I have nothing further to add.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if Government would consider the desirability of examining the question as to whether there is more convenience from the point of economy or from the point of view of administrative efficiency to retain the office in Calcutta instead of at Darjeeling?

Mr. SPEAKER: You cannot combine two things economy as well as administrative efficiency—in one question.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state whether Government would consider the desirability of examining the question whether from the point of view of economy or administrative efficiency, the location of office in Calcutta is or is not better than its location at Darjeeling?

The Hon'ble Mr. PRASANNA DEB RAIKUT: That matter has already been considered and found not convenient.

Complaints in connection with Deb Barman Wards Estate in Dinajpur.

187. Mr. NISHITHA NATH KUNDU: (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether complaints were made against the present *naib* of the Deb Barman Estate in Dinajpur and its ex-manager who has since been transferred to the Chittagong group of estates to the authorities concerned for taking settlements of estate lands in their *benami* and realisation of personal *nazar* and *salami* respectively?

(*b*) If the answer to (*a*) is in the affirmative—

(*i*) was any enquiry held regarding those complaints;

(*ii*) if so, what has been the result of such enquiry; and

(*iii*) if no enquiries were held, what are the reasons?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) and (*b*) (*i*) Yes.

(*ii*) The charges against the ex-manager were not proved. Departmental proceedings have, however, been drawn up against the *naib*.

(*iii*) Does not arise.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state the specific charges that were made against the Manager and the names of the persons who made the complaint?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The names I am not prepared to disclose. The charge against the Manager was that he took settlement in *benami* some of the *khas* lands of the estate.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state what was the nature of the enquiry made, where it was made and by whom?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The enquiry was made by the Collector on the spot by referring the matter to persons who were expected to know the details of the transaction.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state the name of the locality?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Staff of the Serampore Weaving Institution.

188. Mr. SYED AHMED KHAN: (*a*) Will the Hon'ble Minister in charge of the Industries Department be pleased to state—

(*i*) how many Muslims are there at present on the staff of the Serampore Weaving Institution;

(*ii*) the numerical strength of the staff of the institution;

(*iii*) whether there is any Muslim on the teaching staff of the institute?

(*b*) If the answer to (*a*) (*iii*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

(*c*) When did the post of the Dye-House Inspector fall vacant?

(*d*) Who was appointed to it?

(*e*) What are his qualificatnons and special claims for the post?

(*f*) Were any Muslim candidates available for the post?

(*g*) If so, what were their qualifications?

(*h*) Will the Hon'ble Minister be pleased to state the reasons for not appointing a Muslim candidate to the post?

MINISTER in charge of the INDUSTRIES DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (*a*) (*i*) Eighteen

(*ii*) Forty-three.

(*iii*) Yes.

(*b*) Does not arise.

(*c*) July, 1938.

(*d*) Babu Nalini Ranjan Chatterjee.

(*e*) He is a B.Sc. of the Calcutta University and had dyeing and printing as his special subjects—worked as an Assistant in the dyeing, bleaching and mercerising departments of a first class cotton mill.

(*f*) Yes.

(*g*) A statement is laid on the table.

(*h*) None of the Muslim candidates had sufficient theoretical knowledge of dyeing and none had any practical experience of dyeing.

Statement referred to in the reply to clause (g) of unstarred question No. 188.

Maulvi Amir Hossain.—B.Sc. (Dac.), with Honours in Chemistry (1937). M.Sc. (Dac.), in Chemistry (organic group), II class in 1938.

Maulvi Mafizal Huq.—B.Sc. (Cal.), in 1938.

Maulvi Mahbub-ul-Haque.—Passed the Matriculation Examination of the Calcutta University in the 2nd Division in 1930. Obtained a first class diploma in Textile Manufacture and Tinctorial Chemistry in July, 1933, from the Bengal Textile Institute, Serampore. Received practical training from Keshoram Cotton Mills (January, 1934—April, 1934.)

Maulvi Khondaker Abu Naser Kamarezzaman.—Read up to B.Sc. course of the Calcutta University, with Chemistry, Physics and Mathematics in 1935. Passed the Diploma Examination from Government Silk Weaving and Dyeing Institute, Berhampore, in 1938. Passed the City and Guilds examination of the London Institute on weaving.

Muhammad Hussain.—Passed the B.Sc. examination of the Calcutta University with Geology, Chemistry and Botany. Continued the post-graduate training in Geology in the Presidency College, Calcutta, for about a year with *Coal* as a special paper.

Conduct of police officers during Cossipore-Chitpur riot in March, 1939.

189. Dr. SHARAT CHANDRA MUKHERJI: (*a*) Is the Hon'ble Minister in charge of the Home (Police) Department aware of the fact—

(*i*) that on or about the 5th of March, 1939, there was a riot in the Cossipore-Chitpur area and its vicinity;

(*ii*) that some respectable gentlemen of the locality, viz., Gobinda Singh, age 80 years; Jaynarayan Singh, age 65 years; Khoka Chowdhury, Jhari Singh, and others were arrested on suspicion;

(*iii*) that they were detained in *hajat* and subsequently let off;

(*iv*) that at the instance of the officers-in-charge of Chitpur and Cossipore police-stations, some people were molested by police sergeants;

(*v*) that several respectable persons went to the police-station to lodge information but they were turned out;

(*vi*) that no police investigation was made with regard to the murder of one man, named Cowri Singh as a sequel to the riot;

(*vii*) that the dead body of the said deceased was not made over to his relation; and

(*viii*) that a *hartal* was observed by the local people as a mark of protest and condemnation against the indifferent attitude of the police?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, he intends to take against the police officers concerned?

(*c*) What steps, if any, does he propose to take to prevent its recurrence in future?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): The hon'ble member is referred to the reply given to starred question No. 395 of the 1st May, 1939.

GOVERNMENT BILL

The Calcutta Municipal (Amendment) Bill, 1939.

Clause 5

Mr. SPEAKER: We will now begin discussion on clause 5. For the sake of convenience, I will take up this clause, sub-clause by sub-clause. Let us begin with sub-clause (*1*).

Dr. NALINAKSHA SANYAL: Sir, may I submit that for the sake of convenience we may follow the order of the amendments?

Mr. SPEAKER: I find members on my left have not really understood my point. In clause 5, there are two sub-clauses—sub-clause (*a*) and sub-clause (*b*). For the sake of convenience, I do not want to take up the whole clause by itself. I want to take up sub-clause (*a*) of clause 5 first. In 5 (*a*), there are Nos. (*i*), (*ii*) and (*iii*) and we will take up 5 (*a*) (*i*) first and then the other sub-clauses.

Mr. SPEAKER: There are really two motions one of Mr. Santosh Kumar Basu and the other of the Hon'ble Nawab Bahadur of Dacca. Both the motions want to substitute the whole section of the relevant clause. The only thing is that the latter part of Mr. Basu's motion, I think, is not in order.

Mr. SANTOSH KUMAR BASU: I submit, Sir, that it is in order. I have not had an opportunity of explaining the position before you issued your tentative ruling.

Mr. SPEAKER: I have just now been informed that you are correct. I now propose to take motions Nos. 132 and 130 together.

Mr. SANTOSH KUMAR BASU: With regard to 130, I submit that the position is altogether different. If the Nawab Bahadur insists on moving this amendment, I will raise a point of order. If you so desire, I can place it now for your consideration.

Mr. SPEAKER: I think it is better that the motion be first moved.

Mr. SANTOSH KUMAR BASU: Is it to be moved before I raise my point of order?

Mr. SPEAKER: Let him move it first.

Rai HARENDRA NATH CHAUDHURI: If once it is moved, the point of order cannot be raised.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I beg to move that for clause 5 (*a*), the following be substituted, namely:—

(*a*) in sub-section (*1*),—

Point of order.

Mr. SANTOSH KUMAR BASU: Now as he has started moving his motion, I rise on a point of order.

I submit, Sir, that this is wholly out of order, because it goes absolutely beyond the scope of the Bill. In this Bill, in clause 4 it has been provided that there would be no reservation of seats for Muhammadans in the General Constituencies. So far as this clause is concerned, it provides that in the three kinds of Constituencies, namely, General, Muhammadan or Anglo-Indian, which have been provided in the Schedule, every person shall have the right to become an elector according to his own choice. If you will kindly turn to the section of the Act itself (section 20), you will find that section 20 provides that every person shall be qualified as an elector of a General Constituency specified in Schedule III who owns, occupies or resides in any premises,

or exercises any profession, trade or calling as mentioned in that section. Now that original section 20 gives the right to every person who possesses certain qualifications to be qualified as an elector of a General Constituency specified in Schedule III. The clause as has been put in the Bill itself as the Bill was published for general information, as the Bill was introduced in this House, as the Bill was sent to the Select Committee, and as it emerged out of the Select Committee, provides that every person shall have the right to be included as an elector in a General, or a Muhammadan or an Anglo-Indian Constituency

Mr. SPEAKER: I remember the whole of it Mr. Basu, let us be frank. Section 5 as drafted was totally inconsistent with the separate electorate.

Mr. SANTOSH KUMAR BASU: I am much obliged to you for that observation and, if that be so, I submit, the conclusion will be absolutely easy and inevitable and this Bill has got to be dropped if it is intended to provide for separate electorates This is a very, very serious and important question, and I appeal to all the impartiality of which you are capable (excuse me for using that language) to come to the conclusion that if this amendment is now sought to be introduced, it has got to be declared wholly out of order. If the Government chooses to provide for separate electorates it is for them to drop the Bill. They may bring forward another Bill making provision as is proposed in the proposed amendment of the Nawab Bahadur. So far as this Bill is concerned, it cannot possibly provide for separate electorate or an exclusive electorate at this stage If you so desire, I am prepared to render further assistance to you to elucidate the point that I have raised, and before you give your final ruling, I shall ask you to allow me to place the full point of view that I am raising with regard to this point of order

Mr. SPEAKER: I admit that if we are to be guided by only section 5, then it is a different thing But you will find from the Statement of Objects and Reasons that the whole purpose is to have separate electorate.

Mr. SANTOSH KUMAR BASU: I anticipated that observation from you because the Statement of Objects and Reasons has said that on the analogy of the electoral provisions of the Government of India Act, it is felt that separate electorate for Muslims should be restored in Constituencies of the Calcutta Corporation and there has been both within and without the legislature an insistent demand for such a restoration. Now so far as the separate electorates are concerned, in the Constituencies created by the Schedule, they have made provision for

General Constituencies, Muhammadan Constituencies and the Anglo-Indian Constituencies. Now so far as this particular clause is concerned (clause 5) it provides for these Constituencies right enough, but it gives an additional option to every person to come within the pale of one or the other Constituencies according to his choice.

Mr. SPEAKER: Let me understand your point. If this section is retained, then it will mean that though there will be separate Constituency for a Muhammadan, every Hindu would be entitled to vote in that Constituency. Similarly, a Muhammadan will be able to vote in a General Constituency. What is the difference between the two?

Mr. SANTOSH KUMAR BASU: I think the difference is this——

Mr. SPEAKER: I have very carefully considered it, and I find that section 5 as drafted is inconsistent with its object. That is why I had to admit this amendment.

Mr. SANTOSH KUMAR BASU: Although it is not consistent in a way with the Statement of Objects and Reasons it is not, I submit, inconsistent either, because separate electorates are created by this Bill.

Mr. SPEAKER: If that is so, we have to keep regard to "on the lines of the Government of India Act."

Mr. SANTOSH KUMAR BASU: Yes, on the lines of the Government of India Act, separate electorates have been created.

Mr. SPEAKER: On the analogy of the electoral provisions.

Mr. SANTOSH KUMAR BASU: Yes, they have been created, but an additional right is sought to be conferred upon every person in Calcutta to make his choice to join one electorate or the other. Now, the point is this. If we were to confine ourselves only to the Statement of Objects and Reasons, then probably something might have been said in favour of the view which you have been pleased to put forward. But unfortunately the position is not that. If the Preamble of the Bill had stated "whereas it is expedient to create *inter alia* separate electorates on the lines of the Government of India Act by this Bill" it would have been quite a different matter. But the Preamble of the Bill says this: "Whereas it is expedient to further amend the Calcutta Municipal Act, 1923, in the manner hereinafter appearing." Mark the words "in the manner hereinafter appearing." And clause 5 appearing after the Preamble provides for separate Constituencies with the option to every person to join any of them. I would ask you, Sir, to give your very

particular consideration to this point which I have raised in view of the decision which you yourself gave in connection with the Money-lenders Bill on the point of order raised by my friend, Mr. Khaitan, from which I quote the following. You said then this: "Amendments and provisions which are outside the scope of the Explanatory Memorandum or the Statement of Objects and Reasons may be within the scope in consideration of the citations in the Preamble." I am asking you to take it in this way. The Preamble is very important—far more important than the Statement of Objects and Reasons. The Preamble is part of the Bill and when this Bill was published in the Gazette for general information this Bill went out in this shape that "it seeks to provide for Constituencies in the electorates in the manner hereinafter appearing." Now when the Bill went to the Select Committee not a word was whispered with regard to this proposed amendment which the Nawab Bahadur now seeks to bring forward. Is it fair, is it legal, is it according to rules and conventions that they should now remember that they have left out the separate electorate from the Bill and should, therefore, be allowed to bring it within the four corners of the Bill by means of this eleventh hour amendment? I submit, Sir, you will have no hesitation in holding that, so far as this Bill is concerned, however idiotic the provision might have been from the point of view of creating separate communal electorates, the Government have taken a step which they cannot certainly retrace. The die has been cast. It cannot be taken back. I submit, Sir, in consistency with all rules and conventions, and all practice and procedure this amendment cannot certainly come at this stage unless and until a departure is sought to be made deliberately which will cut at the very root and foundation of the Bill as presented before the House, and as it emerged out of the Select Committee. Sir, probably it is open to you to hold that it is in order, but I do submit, Sir, that if you come to that decision we shall fail to be convinced that it is right. Before you give your decision I am entitled to make that submission to you. I submit, Sir, that it is quite consistent, it is quite conceivable, that the Government desire by making this provision in the Bill to confer this option upon the citizens of Calcutta to come within one or the other of these different Constituencies. It may be, Sir, that looking at it from a practical point of view none but Muhammadans will join a Muhammadan Constituency and none but Anglo-Indians will join an Anglo-Indian Constituency. In the practical working of this clause the result probably would be that only Muhammadans will come and join Muhammadan Constituencies and General Constituencies will only contain Hindus and communities other than Anglo-Indians and Muhammadans. That is one thing, but it is wholly a different thing to confer the option and right upon every individual to come within one or the other of the four Constituencies. That may legitimately be taken to be the intention of Government as expressed in this clause taking it along with the Preamble. I, therefore, submit that you will have no

hesitation in ruling out this eleventh hour amendment which goes directly against the clause itself, against the Preamble itself, and which cuts at the very root of the provisions which had been made in this clause. So I submit, Sir, that you will kindly declare that the amendment is out of order.

Dr. NALINAKSHA SANYAL: May I, Sir, add one or two words to what Mr. Basu has submitted?

Mr. SPEAKER: Is it really one or two words? I hope you will finish it in two or three minutes.

Dr. NALINAKSHA SANYAL: Yes, Sir. I just wish to draw your attention to the ruling that you were pleased to give on two or three previous occasions, when the Hon'ble Khan Bahadur Nawab Musharruff Hossain tried to move amendments to the Bengal Touts Bill and to the Official Receivers Bill as also when an attempt was made to move amendments by Sir Bijoy Prasad Singh Roy to the Bengal Tanks Improvement Bill, that the Hon'ble Minister in charge of the Bill should not ordinarily bring forward amendments at such a late stage. In spite of your ruling and clear direction, Sir, and in spite of your sincere attempts to create a healthy convention in this House, this is the third time in which another Hon'ble Minister in charge of a Bill has given us the surprise of a last minute amendment. This amendment again, as my esteemed friend Mr. Basu has argued, is rather opening out a new ground. It is not inconceivable that the electorate should be such where everybody could offer himself to become a member though there was provision for separating the seats. There is nothing difficult about it. Candidates may be chosen by different communities, but the electorate may be separated under different groups.

Mr. SPEAKER: If section 5 stands, then anybody can stand.

Mr. SANTOSH KUMAR BASU: Yes, ordinarily.

Dr. NALINAKSHA SANYAL: Sir, the difficulty is this. I submit that that must have been the intention of the original framers of the Bill because with the 32 wards that we have in Calcutta, there will be wards where some Muhammadans will find themselves in such a hopeless minority that they will not certainly be entitled to be registered as voters in a separate Muhammadan Constituency. If those Muhammadans who are ratepayers and who have every right to exercise their votes in the choice of their representatives for the administration of this city, if such Muhammadans or such Anglo-Indians are debarred from entering their names in any Constituency, it would be doing a

great injustice to them. You will disfranchise those who to-day have a vote. Supposing there are 5 Anglo-Indians in a ward, where there is no possibility of getting an Anglo-Indian seat reserved, you will either have to group them along with other Anglo-Indians in other different wards or you will have to give them a choice of voting along with other communities locally in the same ward where they are living. It is quite conceivable that where civic work is concerned, people would like to vote for or with their neighbours because of the immense advantages that they get out of local representation. A man from Bagbazar would not have any interest in voting for a candidate who is coming from Tollygunge or Bhowanipore. Therefore, Sir, I think the original framers really did have the intention that persons of different communities might offer themselves to be enrolled in an electorate which belongs to, or which is named for, a particular community. That being so, I submit, Sir,—this is an additional point for your consideration—that you would not permit the departure from the main principle of the Bill at this stage.

Mr. SPEAKER: As a matter of fact I can assure Mr. Santosh Kumar Basu and Dr. Sanyal that this amendment has given me the greatest trouble as to whether I should allow it or not, and I can assure the House that I would be the last person to be a party to an amendment which I would honestly consider to be out of order. But as I have said all along, in deciding the scope of a Bill, there are several factors which have to be taken into consideration. If Mr. Basu had a copy of my ruling——

Mr. SANTOSH KUMAR BASU: In this connection may I submit to you that you have ruled out all those amendments for separate electorates for scheduled castes.

Mr. SPEAKER: I shall be coming to that. What I said early in 1937 is as follows:—

The scope of a Bill has to be determined with reference to its Preamble, its aims and objects, and with due regard to the citations; in other words, it is the consideration of these three together—not one in isolation—that an amendment relating to the scope of a Bill has to be scrutinised. I hope the House will remember this sentence, namely, the consideration of the three factors taken together, which are—its aims and objects, citation and Preamble. Now the reason why I had to consider this point of view is that I found that the object for which one has to go in considering the scope of the Bill first is in the Statement of Objects and Reasons, viz., that on the analogy of the electoral provisions of the Government of India Act it is felt that separate electorate for Muslims should be restored in the Calcutta Corporation. Kindly remember the two phrases there, "restored" and

"the analogy of the Government of India Act." The fact that an attempt is being made to restore shows that the original provisions of the Calcutta Municipal Act which were in operation for the first three terms were to be restored. What was the purpose then? Was there anything in that as to whether a Hindu could be a voter or a candidate in a Muhammadan Constituency and *vice versa*? That was not there. I am drawing the attention of the House to the fact that the word "restored" means that you are going back to that provision which originally intended separate compartmental candidature and franchise of the Hindu or Muhammadan community. If there is any doubt about that fact, the analogy of the Government of India Act is also clear. Therefore, I have to consider first as to whether the amendment, I am not speaking of the section itself, is in order. My reading of section 5 leads me to the impression that there was not that amount of care given to the drafting of that section——

The Hon'ble Mr. A. K. FAZLUL HUQ: There is only the absence of a comma.

Mr. SPEAKER: Whatever it is, the drafting leads me to the impression as if this drafting nullifies the entire effect of this Bill. In other words, if this section is carried——.

Mr. SANTOSH KUMAR BASU: Even citation is in our favour.

Mr. SPEAKER: I do not deny it, and if I have to go by citation alone, I may have to admit that this amendment is not in order.

But it is not merely with reference to the citation, it is not merely with reference to the Preamble, it is not merely with reference to the aims and objects; on the other hand, I have to do it with all the three taken together.

A point has been raised by Mr. Santosh Kumar Basu as to why I have ruled out of order the question of separate electorate for the scheduled castes. I think the Speaker of the House has got no opinion of his own, but he has to go by rules and conventions. A Bill has been drafted as such in order to safeguard the interests of every minority community but provision has been made specifically for the according to their population strength and for representation of the Anglo-Indian community by separate electorate. So far as the scheduled castes are concerned, it definitely mentions that the object of the Bill is reservation on a joint electorate basis and therefore any other method of approach regarding representation is out of order. I have very carefully considered this point, and I feel that consistently

with the principle which I have all along been following I have to consider the scope of the Bill with reference to the three things I have already mentioned.

I, therefore, rule that the amendment is in order.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, I beg to move that for clause 5(*a*), the following be substituted, namely:—

(*a*) in sub-section (*1*), for the words every person shall be qualified as an elector of a General Constituency specified in Schedule III the following shall be substituted, namely:—

(*a*) every Muhammadan shall be qualified as an elector of a Muhammadan Constituency,

(*b*) every Anglo-Indian shall be qualified as an elector of an Anglo-Indian Constituency, and

(*c*) every person other than a Muhammadan or an Anglo-Indian shall be qualified as an elector of a General Constituency,

specified in Schedule III

This is wholly a drafting change and it has been brought forward in order to make it absolutely clear that a Muhammadan shall be qualified as an elector of a Muhammadan Constituency, the same being the case with Anglo-Indians

Mr. SANTOSH KUMAR BASU: Sir, I beg to oppose the amendment which has been brought forward now by the Hon'ble Minister in charge of the Bill. The provision as it originally stood in so many words expressly gave the option to every person in Calcutta to enrol his name as an elector for a General Constituency or a Muhammadan Constituency or an Anglo-Indian Constituency. So far as it conferred the opinion upon every elector of Calcutta to come within one or other of the Constituencies according to his choice, it took away to a certain extent the edge of our objection against separate and exclusively communal electorates. In the Bill itself, provision for separate electorates was certainly made, separate constituencies were set up in the Schedule, but clause 5 in the Bill provided that every person will have the option or the right to join one or the other of the Constituencies according to his choice. It no doubt set up separate Constituencies, but it did not set up separate and exclusively communal Constituencies and did not deprive any person of his right which he at present enjoys of casting his vote in a General Constituency in favour of a candidate of his choice irrespective of the community to which the candidate may belong. But the amendment which is now brought forward not only creates separate electorates, but it goes a step further and says that

these electorates must be separate as well as exclusive and communal in their nature. It will exclude all members of all communities other than those whose names these Constituencies will bear and to that extent, Sir, it has curtailed the existing rights of the electors in Calcutta to cast their votes for candidates of another denomination if they like. Even now a Hindu can cast his vote in favour of a Muhammadan and a Muhammadan alone when there is reservation of seats in the joint electorate. In the clause as was embodied in the Bill, the same right would continue not merely at the time of the election but from the very inception, namely, from the preparation of the electoral roll by joining a particular Constituency and getting oneself registered as an elector in a particular Constituency. In that way, a person could have exercised his right and his option of casting his vote in favour of a candidate belonging to any denomination. The amendment which the Hon'ble Minister has now brought forward will take away that right and that option which is vested at present by the Calcutta Municipal Act and which was sought to be continued in another shape or form by clause 5 of the Bill itself. That is a departure, Sir, against which we ought to lodge our protest. This amendment has certainly crossed the barrier by the ruling of the Hon'ble Mr. Speaker. But that does not take away the force of our objection that it is a departure going to the very root of the matter, going to the very foundation of the question, and I think, Sir, that this House will be well advised in rejecting the amendment which has now been put forward.

The motion of the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca, that for clause 5 (*a*), the following be substituted, namely:—

(*a*) in sub-section (*1*), for the words every person shall be qualified as an elector of a General Constituency specified in Schedule III the following shall be substituted, namely:—

(*a*) every Muhammadan shall be qualified as an elector of a Muhammadan Constituency,

(*b*) every Anglo-Indian shall be qualified as an elector of an Anglo-Indian Constituency, and

(*c*) every person other than a Muhammadan or an Anglo-Indian shall be qualified as an elector of a General Constituency,

specified in Schedule III;

was then put and a division taken with the following result:—

AYES—108.

Abdul Aziz, Maulana Md.	Abdul Jabbar, Maulvi.
Abdul Bari, Maulvi.	Abdul Kader, Mr., alias Lal Meah.
Abdul Hakim, Maulvi.	Abdul Karim, Mr.
Abdul Hakim Vikrampori, Maulvi Md.	Abdul Latif Biswas, Maulvi.
Abdul Hamid, Mr. A. M.	Abdul Majid, Mr. Syed.

Abdul Wahab Khan, Mr.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rasehid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hossain Ahmed, Mr.
Abul Quasem, Maulvi.
Aftab Ali, Mr.
Aftab Hossain Jeardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Ashrafali, Mr. M.
Asiad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Birkmyre, Sir Henry, Bart.
Blemenstock, Mr. L. M.
Brown, Mr. A. O.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Edbar, Mr. Upendra Nath.
Farhad Raza Chowdhury, Mr. M.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Fazlur Rahman (Mymensingh), Mr.
French, Mr. F. H.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
MacGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Banku Behari.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Mariadin, Mr. F. J.
Masud Ali Khan Pannl, Maulvi.
Miles, Mr. C. W.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Noeruddin, Mr. K.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Razaur Rahman Khan, Mr.
Ross, Mr. J. B.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sanaullah, Al-Haj Maulana Dr.
Sarkar, Babu Madhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sassoon, Mr. R. M.
Serajul Islam, Mr.
Shamsuddin Ahmed Khondkar, Mr.
Shamsul Huda, Maulana.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Zahur Ahmed Choudhury, Maulvi.

NOES—67.

Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Azimuddin Ahmed, Mr.
Banerji, Mr. P.
Banerji, Mr. Satya Priya.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Promhari.
Barma, Mr. Puspajit.
Barman, Babu Shyama Prosad.
Barmana, Babu Upendra Nath.
Basu, Mr. Santosh Kumar.
Bell-Hart, Miss P. B.
Bhaumik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chattopadhyay, Mr. Haripada.
Choudhuri, Raj Narendra Nath.
Chippendale, Mr. J. W.
Das, Babu Mahim Chandra.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.

Datta, Mr. Dhirendra Nath.
Deloi, Mr. Harendra Nath.
Dutta Gupta, Miss Hafiz.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Gomes, Mr. S. A.
Goswami, Mr. Tulsi Chandra.
Griffiths, Mr. C.
Gupta, Mr. Jogesh Chandra.
Hasan Ali Chowdhury, Mr. Syed.
Jalaluddin Hashemy, Mr. Syed.
Jonab Ali Majumdar, Maulvi.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Advaita Kumar.
Majumdar, Mrs. Hemaprova.
Mal, Mr. Iswar Chandra.
Mandal, Mr. Krishna Prasad.
Maqbul Hossain, Mr.
Mukherjee, Mr. B.
Mukherji, Dr. H. C.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Naskar, Mr. Hem Chandra.
Pain, Mr. Barada Prosanna.
Pramanik, Mr. Tarinicharan.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Shahedali, Mr.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Thakur, Mr. Promatha Ranjan.

The Ayes being 108 and the Noes 67, the motion was carried.

Mr. SPEAKER: This means that all other motions on this sub-clause fall through

Mr. RASIK LAL BISWAS: Sir, I beg to move that in clause 5(6) in the proposed sub-section (3), line 2, after the words "Chamber of Commerce," the following words be inserted, namely :—

"Bengal National Chamber of Commerce, Muhammadan Chamber of Commerce, Marwari Chamber of Commerce"

সভাপতি মহাশয়, আমার এই যে Amendment তাহা দীর্ঘ বক্তৃতা দ্বারা সমর্থনের দেবার কোন প্রয়োজন আছে বোলে আমি মনে করি না। আমার এই Amendment এর উদ্দেশ্য এবং অর্থ অতি সহজ এবং সরল। এই বিলে Bengal Chamber of Commerce এবং Calcutta Trades Association কে special commercial interest রূপে representation দেওয়া হোয়েছে। এগুলি অর্থাৎ এই যে Bengal Chamber of Commerce এবং Calcutta Trades Association এই সব প্রতিষ্ঠান শুধু ইউরোপিয়ানদেরই। এই Calcutta Municipal Amendment বিলে ইউরোপিয়ানদের interest ইউরোপিয়ানদের স্বার্থ রক্ষার ব্যবস্থা সাধারণ constituency তে করা হোয়েছে যে সব ইউরোপিয়ান কোলকাতা সহরে বাস করে তাদের প্রতিনিধিত্বের ব্যবস্থা general constituencies এর ভিতরে ব্যবস্থা করা হয়েছে। অধিকন্তু তাদের যে special representation এর সুবিধা দেওয়া হোচ্ছে সে যদি commercial interest এর জন্যই দেওয়া হয় তাহোলে অন্য যেসব commercial interest এর সঙ্গে আছে তাদেরও দেওয়া উচিত। কাজেই এটা Bengal Chamber of Commerce এবং Calcutta Trades Association এর মধ্যেই আবদ্ধ না রেখে আরও যে সমস্ত প্রতিষ্ঠান recognised ' এবং সুনামের সঙ্গে কাজ কোরে আসছে তাদেরও ইহার ভিতরে আনা উচিত। শুধু ইউরোপীয়ানদের এরূপ সুবিধা দিলে ও এদেশীয়

লোকের সংঘগুলিকে এ সুবিধা হতে বঞ্চিত করিলে ব্যাপারটা অত্যন্ত বিশদৃশ দেখাইবে। সেইজন্য এই Amendment এ আমি প্রস্তাব করেছি যে Bengal National Chamber of Commerce, Muhammadan Chamber of Commerce এবং Marwari Chamber of Commerce এদেরও এ সুযোগ দেওয়া হউক। সেইজন্য after sub-section (3), line 2, after the words "Chamber of Commerce" এরপর উপরের এই প্রতিষ্ঠানগুলির নাম সংযুক্ত হউক। এর দ্বারা ইউরোপিয়ান interest কেই special এবং exclusively সুযোগটা না দিয়ে সকলকেই সমানভাবে সুযোগটা দিয়ে সকলের প্রতি সুবিচার করা হবে। সেইজন্য অন্যত্র তালিকারস্থানে আমার প্রস্তাব আছে যে ইহাদের ১০টী আসনের মধ্য হইতে Bengal National Chamber of Commerce and Muhammadan Chamber of Commerce এর প্রত্যেককে ২টী করিয়া এবং মাড়োয়ারী Chamber কে ১টী আসনের সুপারিশ করিয়াছি। আশা করি গভর্ণমেন্ট কোন আপত্তি না কোরে আমার এই Amendment গ্রহণ কোরে নেবেন।

Dr. NALINAKSHA SANYAL: Sir, I rise to support this motion. It has been a puzzle to all of us for a long time why special representation of this character is at all maintained. There was a time when probably,—because neither on the ground of number nor on the ground of ratepaying, the Europeans could be found suitable representation—the guardians of our country, namely, those European traders, who were also guiding the policy of the Government of the day, managed to get their special interests safeguarded by special representation. But those days are gone. To-day, we in Calcutta in trade and commerce as well as in other spheres of life maintain a preponderating influence, to-day, we are no longer under the tutelage of the British trading community in this city. If that is the position, may we ask the Government if they are not committing a great blunder in maintaining the old practice of permitting a certain Chamber of Commerce that is only and entirely manned by European merchants to continue to have special representation here. If the idea is that the trading community of this city, who admittedly play a very important role in the making of Calcutta, should have some special arrangements made for their representation, that proposition is capable of being logically defended. But to smuggle in a few European traders who have no interest in the welfare of this city except money-making (cries of "Question, question, nonsense," from the European Group), just because they happen to belong to the race of Lord Clive and are exploiting the country from Clive Street, just because there are idiots among them (Interruptions from the European Benches)——

Mr. SPEAKER: Order, order. Dr. Sanyal, I think, this is wholly irrelevant to the subject under discussion. You are arguing on an amendment for substitution and not deletion. If the amendment had been for doing away with the Europeans altogether, your argument would have been valid.

Dr. NALINAKSHA SANYAL: What I meant was that there are men who are intelligent among the Indian community and there are men who are idiots, devoid of manners and courtesy, among the European community (Cries of "Nonsense, nonsense" from the European Benches).

So these veritable idiots continue to have special representation, whereas those who really form the life of Calcutta have to depend upon the ordinary general seats. That is wholly unfair and extremely unjust, and it will not take anybody a long time to understand that this is a sheer backdoor method of providing European representation. Sir, you all know and probably it does not require anybody to explain the position to the Coalition members and the Ministry, because they are thick and thin with some of these "esteemable" gentlemen, that so far as trade and industry of Calcutta are concerned, the majority of them are in the hands of capable Indians—Muslims, Marwaris and Bengalees. There is again an association known as the Calcutta Trades Association. It requires some amount of research work to find out what wonderful commercial organisation that Association is, and, yet, that Association which has probably got a membership of about half-a-dozen or one or two dozens at most who are again members of the Bengal Chamber of Commerce, continues to have representation on the Council of the city to the extent of 4 seats, 6 seats going to the Bengal Chamber of Commerce. I submit, Sir, that when, as in the Tollygunge Ward for example, the ratepayers number about four thousand and have only one seat, this Calcutta Trades Association sends four members, that is, on an average not more than 25 members at most get one seat. Is it not thoroughly iniquitous, unfair and unconscionable by all means? Therefore, I support Mr. Biswas's amendment and press our claim to have the commercial community represented through properly organised Indian Commercial Chambers of Commerce. We put forward our plea as much vehemently on behalf of the Muslim Chamber of Commerce, although it is a young organisation of a few years' existence, as on behalf of the Bengal National Chamber of Commerce, the oldest Commercial Chamber in the city, as also the Marwari Chamber of Commerce—probably my friend Mr. Biswas meant the Indian Chamber of Commerce which has got a very important and influential membership. Whatever may be the position, the public of Calcutta consider that the representation of ten European members in this manner is thoroughly unjustified, and it is merely an appendage to the system of nomination which has been so strongly condemned from all corners yesterday. With nominations and nominated Councillors these European members of the Corporation generally go hand in hand and they try to frustrate many good works that the duly elected Councillors of the Calcutta Corporation seek to initiate (Cries of "Question" from

the European Benches). I know at least of one instance in which it was the mischievous attempt of some European Councillors that made it difficult for the Corporation to arrange the purchase——

Mr. C. W. MILES: May I rise on a point of information, Sir, whether Dr. Sanyal has ever served in the Calcutta Corporation?

Dr. NALINAKSHA SANYAL: I am giving just now an instance. I am very glad that my remarks are going home.

Mr. C. W. MILES: May I not have a reply to that question?

Mr. SPEAKER: I have no control over him.

Dr. NALINAKSHA SANYAL: There is just one instance which strikes me now which probably will throw cold water even on a hot day like this on the enthusiasm of my friends to the left—the instance in which arrangements were going to be made to help in the purchase of Indian mantles and mantles for the gas lamps in the streets of Calcutta. It was as a result of the strenuous opposition of those who represented the British interest that this could not be arranged. Similarly, in the matter of furthering some Indian industries, the European members invariably tried to put a spoke in the wheel of progress. (Cries of "Question"!) The question to-day is as to how long will we permit this kind of special arrangements in the interests of those who are here as birds of passage exploiting the country for their own personal money-making propensities.

Mr. SPEAKER: Dr. Sanyal, you are exhausting everything; keep something for further speeches. (Laughter.)

Dr. NALINAKSHA SANYAL: I am not going to permit this discussion to be reduced into a lighthearted debate on the important question of representation. The whole question is, as my friend Mr. Narendra Narayan Chakrabarty made perfectly clear yesterday, one of maintaining adequately in the hands of Indians and Bengalees the powers of administration of the Corporation in every respect. The presence of these ten members makes that difficult ("Why?" from the European Benches) and sometimes when we cannot see eye to eye in certain matters, it is these few third-party members who try to help one side or the other and make healthy work on a compromise amongst ourselves impossible. It is these third-party members, who by virtue of their clever position, rule the Corporation. We are going to make the position worse, because to-day by the proposition that we have got before us, the absolute majority that the majority community could sometimes command will no longer remain absolute. That being

the position, I submit, that the case has been amply made out for allowing the commercial interests of the city, if any special representation has got to be arranged for them, representations through properly organised Indian Chambers of Commerce like the Muslim Chamber of Commerce, the Bengal National Chamber of Commerce, the Marwari Association and the Indian Chamber of Commerce.

("Hear, hear," from the European Benches.)

Mr. S. A. GOMES: May I know whether this amendment is in order? This amendment (No. 145) urges for representation of those sections or communities that have not been allowed any separate representation in the Bill itself. Now, on the ground on which you rejected my amendments, I think this amendment ought to be disallowed, also.

Mr. SPEAKER: What is your amendment?

Mr. S. A. GOMES: My amendment was that two seats should be allotted to Indian Christians. You ruled that out on the ground that it was beyond the scope of the Bill. As the Bill has not given separate representation to the Muhammadan Chamber of Commerce, the Indian Chamber of Commerce and the Marwari Chamber of Commerce, you want to give them representation. How can that be?

Mr. SPEAKER: I think it is absolutely clear. I may take that up later on. Strictly speaking, I have my own doubts if this motion is in order. But I had to admit it for obvious reasons, viz., as the draft has been made out, I have no other alternative but to admit this motion. In effect the Bill does not in any way touch the Commercial Constituencies. As the draft has been made, and once it has been brought into the legislative anvil and a definition of the Chamber of Commerce has been given, I have no other alternative but to allow a motion which wants to describe the Chamber.

Mr. S. A. GOMES: May I move my amendment?

Mr. SPEAKER: So far as the Indian Christians are concerned, there is no definition of the Indian Christians in the Bill. If there was a definition of "Christian" or "Indian Christian," it would have been in order. I can't allow this.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, I oppose the motion. My ground for opposing the motion is this.

Dr. NALINAKSHA SANYAL: Number of votes.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: The present Calcutta Municipal Act was put on the statute book by the late Sir Surendra Nath Banerjee, one of the greatest Nationalist leaders. He put in this provision in regard to the European and special interests, and I have exactly followed that. Now what I wish to say is this, that my friends on the other side have spoken disparagingly of the work done by the European community. With all the emphasis I can command, I say that from what I have heard, their work on the Corporation has been in the best interests of the city, and I think they have done more than anybody else for the welfare of Calcutta and for the Calcutta Corporation.

Dr. NALINAKSHA SANYAL: More than anybody else? What is your objection against the representation of Muslim Chamber of Commerce?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: We feel that a party which is disinterested and understands the civic duties should play a great part in the Calcutta Corporation and for that reason I oppose this motion.

The motion of Mr. Rasik Lal Biswas that in clause 5 (*b*) in the proposed sub-section (*c*), line 2, after the words "Chamber of Commerce" the following words be inserted, namely:—

"Bengal National Chamber of Commerce, Muhammadan Chamber of Commerce, Marwari Chamber of Commerce"

was then put and a division taken with the following result.

AYES—72.

Abdul Wahad, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Ahmed Khan, Mr. Syed.
Asimuddin Ahmed, Mr.
Banerji, Mr. P.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Prombari.
Barma, Mr. Puspajit.
Barmas, Babu Upendra Nath.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Delui, Mr. Harendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Gupta, Mr. Jogesh Chandra.
Hasan Ali Chowdhury, Mr. Syed.
Jainluddin Hashemy, Mr. Syed.
Jalan, Mr. I. D.
Khaitan, Mr. Debi Prosad.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Majumdar, Mrs. Hemaprova.

Mal, Mr. Iswar Chandra.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Krishna Prasad.
Maqbul Hossain, Mr.
Mookerjee, Dr. Syamaprasad.
Mukherjee, Mr. B.
Mukherji, Dr. H. C.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasker, Mr. Hem Chandra.
Pain, Mr. Barada Prosanna.
Pramanik, Mr. Tarinicharan.
Ray Choudhury, Mr. Bijendra Kishore.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamakrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Sen, Rai Bahadur Jogesh Chandra.
Shahedali, Mr.
Shamsuddin Ahmed, Mr.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Tapuriah, Rai Bahadur Moongtu Lall.
Thakur, Mr. Pramatha Ranjan.

NOES—119.

Abdul Aziz, Maulana Md.
Abdul Bari, Maulvi.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Kader, Mr., alias Lal Meah.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur, A. F. M.
Abdur Raschid Mahmood, Mr.
Abdur Rashood, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hosain Ahmed, Mr.
Abul Quasem, Maulvi.
Aftab Ali, Mr.
Aftab Hosain Joardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Affazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Ashrafali, Mr. M.
Asiad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Bell-Hart, Miss P. B.
Birkmyre, Sir Henry, Bart.
Blomenstock, Mr. L. M.
Brown, Mr. A. O.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Edbar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Fazlur Rahman (Mymensing), Mr.
French, Mr. F. H.
Gomes, Mr. S. A.
Griffiths, Mr. S.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hamilton, Mr. K. A.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
MacGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Masud Ali Khan Panni, Maulvi.
Miles, Mr. C. W.
Mohammed Ali, Khan Bahadur.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur, Dr. Syed.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab Khan Bahadur.
Mustagawai Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasrullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Rauzer Rahman Khan, Mr.

Rees, Mr. J. B.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Saifruddin Ahmed, Haji.
Sarkar, Babu Madhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sassoon, Mr. R. M.
Serajul Islam, Mr.
Shamsuddin Ahmed Khondkar, Mr.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Steven, Mr. J. W. H.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, The Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 72 and the Noes 116, the motion was lost.

Point of Privilege.

Mr. JOGESH CHANDRA GUPTA: On a point of privilege, Sir. I regret to bring to your notice that one of the members of the Congress Party was detained in a court of law in spite of his intimation that he was required here by 4-45 p.m. You remember, Sir, the case of Babu Sibnath Banerjee was mentioned to you once before, but to-day he was detained and he could not participate in the first voting. I think it is a matter of breach of privilege and it is up to you, Sir, to protect the rights of the members of the House When the Assembly is sitting, the members have to come here——

Mr. SPEAKER: Is it a civil or a criminal case?

Mr. JOGESH CHANDRA GUPTA: It is a criminal case under section 107

Mr. SPEAKER: In that case for the time being I am helpless. All I can do is to speak to the Home Minister about it.

Mr. JOGESH CHANDRA GUPTA: I submit, Sir, he is not exactly in the position of an accused, being prosecuted under section 107 of the Criminal Procedure Code. That being so, he cannot be detained and prevented from attending the Assembly meeting. I should be glad to discuss the matter with you, if you so desire.

Mr. SPEAKER: I should like to discuss this matter with you in my chamber.

The Calcutta Municipal Amendment Bill, 1939.

Clause 5.

Mr. SIBNATH BANERJEE: Sir, I beg to move that in clause 5 (4), lines 1 to 3, for the words "A person shall be qualified as an elector of a labour constituency specified in Schedule III if he is a member of a trade union" the following be substituted, namely:—

"A person shall be qualified as an elector of a labour constituency specified in Schedule III if he is a worker in any of the

Registered Factories situated within the limits of Calcutta Corporation provided he worked for a period of at least six months in the aggregate during the year last preceding the year in which election is held."

Mr. Speaker, Sir, in the original Bill we find in clause 5 (*d*) the qualifications of a labourer to become a voter, and these are three in number. First of all, he is to be a member of a trade union registered under the Indian Trade Unions Act. Secondly, the registered office of the trade union must be within the limits of Calcutta and, thirdly, that trade union has to be recognised in accordance with the provisions of paragraph 18 of Part IV of the Government of India (Provincial Legislative Assemblies) Order, 1936. Sir, you as well as most of the members of this House are well aware how unorganised the labour is. The trade unions have not grown to the extent it has grown in other countries and the reasons for which are also obvious. The Labour Minister is following a policy which makes it impossible for genuine trade unions to grow. Let me take one by one the clauses. As I have just now said, the number of workers organised in trade unions registered under the Trade Unions Act is infinitesimal indeed. In the city of Calcutta that number of workers in registered factories will be near about 1 lakh, and if we take the workers in commercial houses and shop assistants and other workers in domestic service, the number will be something like half a million. But of this half a million I think not more than five to six thousand are organised and registered under the Trade Unions Act. Therefore, by this one clause you are restricting the vote only to 10,000 workers even on a most liberal calculation.

As regards the second part, viz., that the registered office of the trade unions should be in Calcutta, I have nothing to say, but the third part is again dangerous. It refers to paragraph 18 of the Government of India (Provincial Legislative Assemblies) Order. Again we find five restrictions on a trade union before it would be recognised by Government. For a union to be recognised the section is as follows:—

"A trade union shall be deemed for the purposes of this order, to be a recognised trade union if and only if it is certified by the Governor exercising his individual judgment,—

(*a*) to be a *bona fide* trade union existing wholly or mainly for industrial or provident purposes; and

(*b*) to have been in existence for at least two years and to have been registered as a trade union for at least one year, and

(*c*) to have had throughout the financial year preceding that in which the certificate is given at least 250 ordinary members who have paid subscriptions for the whole of that year, and lastly

(*d*) to have complied with any requirements imposed by or under the Indian Trade Unions Act, 1926, with respect to the inspection of its books by the Registrar of Trade Unions and with respect of the audit of its accounts "

And, in addition, to all these clauses there is a further clause, namely, the Governor, exercising his individual judgment, shall, from time to time, reconsider the circumstances of the registered trade unions operating in the province and shall revoke certificates previously issued and grant new certificates as the circumstances may appear to him to require

This is indeed a very serious and dangerous provision, so that even of the 10,000 workers organised in trade unions very few will be allowed to exercise the right of vote if all these conditions are imposed. I doubt, Sir, whether out of the 10,000 workers 2,500 will be able to vote. Then, again, of course, the individual judgment of the Governor is there and one does not know what the Governor will do and how he will exercise his judgment

Now, Sir, regarding the election to the Assembly itself to which a reference has been made in this paragraph, there are eight labour seats, for this House of which only three or, to be more correct, only 2 come under the operation of these rules The members of recognised trade unions are voters only in the case of water transport and railway transport In the case of the remaining five territorial seats every worker in a registered factory is a voter, and in my amendment what I have asked for is a provision to the same effect It may be interesting to note that in the case of all the five seats, where the workers of registered factories were given the right to vote, it is the more progressive, or rather the more militant, members who have been able to come, and in the other ones I do not want to cast any reflection the number of votes cast has been absolutely insignificant, infinitesimally small compared with the number of votes cast in the case of territorial constituencies. For instance, if we take the Barrackpore area, about 60,000 voted in that Constituency, of whom nearly 53,000 voted in favour of one of the members of our party Similarly, in the Calcutta Constituency, more than 25,000 voted; in Howrah also about 25,000 voted; and in Hooghly also about 25,000 workers voted; whereas in the constituencies where trade unions are given this right or trade union members are electors or voters, the number was something like a few hundreds. Knowing the condition of labour organizations as we do, it will be an absolute joke to pass these rules, because then the workers will not be able to exercise their right to vote or elect their own representatives. Of course, it may be argued that this may be an additional incentive to the workers. Perhaps so. If the Labour Minister will not follow the principle which he has been following, if

he encourages genuine labour organizations, I agree that this will be an additional incentive. But what about the coming elections? In this election, the workers will not be able to exercise their right of voting.

Mr. SPEAKER: Mr. Banerjee, I hope you will be as brief as possible.

Mr. DHIRENDRA NATH DATTA: Sir, it is an important matter.

Mr. SPEAKER: I know that.

Mr. SIBNATH BANERJEE: Sir, in my amendment, I have provided for a safeguard. A worker need not live within Calcutta, but if he had worked for a period of at least six months in the aggregate he should be qualified as an elector. Therefore, on the merits of the case, I think that this amendment should be accepted by the other side. (Mr. JOGESH CHANDRA GUPTA: By Government.) Yes, by Government and the Coalition Party.

The other day, Sir, when I was speaking against the nomination of labour representatives, the Hon'ble Minister in charge in reply was sarcastic and said that this was the first Government which thought about Labour. He was absolutely mistaken there. As I pointed out then and there, the previous Government made their nominations, and every year Mr. K. C. Roy Chowdhury finds a place in the Corporation to represent Labour. (Maulvi MUHAMMAD ISRAIL: Not by election.)

Mr. SPEAKER: You are wrong, Mr. Banerjee.

Mr. SIBNATH BANERJEE: I stand corrected then. The man who stood——

Mr. SPEAKER: I am afraid that you are going beyond the limit. Your motion relates to election and not nomination. I allowed you to refer to nomination only casually.

Mr. SIBNATH BANERJEE: All right, Sir. I was only replying to the points mentioned by the Hon'ble Minister in charge. I wanted to show that though this Government was displaying its solicitude for Labour, the reverse is the case. As in the case of nomination they appoint their own man, viz., Mr. K. C. Roy Chowdhury; so here also they want to restrict the franchise in such a manner that most of the workers will not be able to vote. As I have already pointed out, out of about 5,00,000 workers not even 5,000 will be able to exercise their right to vote. If that be so, not even one per cent.

of the labourers living in Calcutta or working in Calcutta will be able to vote. So, what is the good of giving two seats to Labour? It will have the effect of giving in an indirect way two seats to the Coalition Party or to the Coalition *bloc*. It is nothing short of that, and in actual practice, it will be another handle given to our Labour Minister to patronise some of his lieutenants in the labour field (DR. NALINAKSHA SANYAL: Not lieutenants, but hirelings), and a right will be given to those who are destroying the labour movement by spreading communalism all over Bengal.

Sir, before I started speaking, one of my friends just by remarked that Labour is really an important factor to-day, and if we really think about it, since the time when the three villages of Sutanati, Govindapur and Kalicata were bought by the East India Company—since then it was by Labour alone, and by the labour of the labourers, that this beautiful city has been built up. And what do we find to-day? Those who have built up this city cannot utilize the amenities of this city, because they do not get any advantage; and this applies not only to the workers of the city of palaces, but also to the workers who live elsewhere. They do not get sufficient food and clothing, and when they are ill they do not get admission into the hospitals even to die there. That being so, Sir, Labour in the Corporation is certainly supreme. From the side of the capitalists, it may be argued that they have invested capital and that capitalism is after all concealed labour. Of course, I do not want to go into the theory as to how capital was accumulated or created, but it will be enough to say that Labour to-day is conscious and is demanding its own rightful dues. In demanding its own dues, it will not stop short of anything before it gets its demands satisfied. If we add to the 500,000 workers the clerks and other employees, then the number will rise higher up, and, perhaps, we may get only 10 per cent. non-labourers, while 90 per cent. will come under the category of labourers. That being so, there is no reason why Labour should not, following the example of the majority community, get 90 per cent. of the seats. Of course, we do not demand it. We do not want any reservation. It is disgraceful to provide for reservation of seats. All that we want——

(At this stage the member reached the time-limit.)

Mr. SIBNATH BANERJEE: Let me finish my sentence, Sir.

Mr. SPEAKER: After allowing you the fullest indulgence for 15 minutes, if you want super-indulgence, then I am afraid I cannot oblige you further.

Mr. SIBNATH BANERJEE: Sir, I thought that I should have 17 minutes to speak.

Mr. SPEAKER: No, no. I allowed you 15 minutes only.

Mr. SYED JALALUDDIN HASHEMY: Sir, ——

(At this stage the House was adjourned for 15 minutes.)

(*After adjournment*).

Mr. SYED JALALUDDIN HASHEMY: Sir, in rising to support the amendment of comrade Sibnath Banerjee let me just analyse the suggestion put forward by him while speaking in connection with this motion. The demand made by him is only legitimate and fair. He has not demanded any more seats than have been allotted for Labour. He has pointed out, and very fairly, that three factors stand as barrier against the franchise of Labour. First, Sir, is the Factory Act, secondly, the Trade Union Act and thirdly, Registration Sir, it will not be out of place if I analyse and take into consideration the history of Calcutta, past and present. Nobody in this House will deny that this city of Calcutta is the creation of labourers. It is the result of labour, untiring labour of the labourers from every section of the people of India. Nobody will say that the contribution for the creation of this City of Palaces came primarily from the Bengal Chamber of Commerce or from the Marwari Association or from any other association. It is the breakers of stone and breakers of bricks and breakers of earth that came forward to build this City of Palaces. Now, Sir, I am not also emphasising the question of the number of seats that has been allotted, but I must say that in this city of Calcutta, if I make a moderate calculation, it will be found that at least 50 per cent. of the residents of Calcutta are labourers Comrade Banerji has shown, and very clearly, that the number of persons who are going to be enfranchised according to the rules that have been suggested by the Hon'ble Minister in charge of the Bill is inadequate. If the Hon'ble Minister in charge of the Bill really considers this point in an unbiased mind he will have no hesitation to give more franchise to the labourers so that they may get an opportunity to elect their representatives as they like. By restricting the franchise of labour by Trade Union Act, by Factory Act, by Registration and fourthly, by Government approval—that is a factor which we doubt not will do positive injury to this franchise question. Sir, when the Hon'ble Minister in charge of the Bill considered the question of labour constituency and labour seats, I remember that in one of his speeches he said that the weightage that ought to have been given to some minority communities had been given by him to these two labour seats and he also mentioned two Anglo-Indian seats. When he has considered the question of seats for the Labour, he should also consider the question of franchise of the labourers.

If it is in his mind that he is going to get two persons for all practical purposes nominated by him, let him make his position clear now I have got nothing to say, if he makes provision for two men belonging to his party, but if he really wants to give these two seats to the true representatives of labour, he might have no objection to extending the franchise of labourers as has been suggested by comrade Sibnath Banerjee. I have already said that in this city under the Act as you are the custodian of the rights of this House if you so like and if you assess this House on a rental basis you are entitled to get at least 200 votes. Any man coming from any province or any country living in Calcutta for six months and paying a rent of Rs. 25 per month is entitled to be a voter in any General or Muhammadan or Anglo-Indian constituency. But these labourers living in Calcutta for years together, helping the citizens in building their palatial houses, in making roads for the convenience of the highly-placed citizens are not entitled to vote It will not be out of place if I mention here that the area where the Hon'ble the Minister in charge of the Bill now puts up was a few years' ago a mere village full of jungles and was uninhabitable. Now within a period of two or three decades, Park Circus and Ballygunge areas are so developed that they have become the fit places of abode of the Premier of Bengal and other Ministers as well. Who are at the back of all those things? These labourers and none else. So I suggest that here is no question of party, no question of the numerical strength of a particular group or party, it is a simple question, the question of enfranchising the labourers. Will the Hon'ble Minister in charge of the Bill in reply say what is the system prevailing in London and Paris and other big cities in the Continent and America, where labourers are enfranchised and are entitled to send their representatives to any city corporation or county council. Why this sort of distinction has been sought to be made in connection with the franchise of the labourers of this city? I hope the Minister in charge will take this matter into serious consideration and unhesitatingly adopt the amendment that has been suggested by comrade Sibnath Banerjee.

The Hon'ble Mr. H. S. SUHRAWARDY: Mr. Speaker, Sir, Mr. Sibnath Banerjee killed his horse within the first two minutes of his speech and thereafter flogged it for 13 minutes and a quarter. Mr. Jalaluddin Hashemy thereafter attempted to flog that horse, but instead of flogging that horse lashed his whip all round him. In the result they have not been able to contribute anything useful to the debate. Mr. Sibnath Banerjee thinks that the Government proposal will result in disenfranchising the labourers. On the other hand, the Government proposal will result in enfrachising these labourers who probably are worthy of casting their votes.

Mr. SYED JALALUDDIN HASHEMY: What is the number?

The Hon'ble Mr. H. S. SUHRAWARDY: Any number. As many labourers as there are in Calcutta can obtain franchise. There are only two things necessary. They must be members of a registered trade union. Everyone knows that it is the easiest thing on earth to register a trade union. You hold a meeting, a nominal meeting of 7 members and select those 7 members, sign certain forms, choose certain members as your President, Secretary, and members of the Executive Committee, and send up their names according to some model rules which have been framed by my department. You simply send them up for registration and they are automatically registered. There is absolutely no difficulty in registering a union.

The next point is the recognition of the union. This recognition of a union is not a recognition by the employer, it is not a recognition by Government. If it was a question of recognition by the employer or by the Government, you could turn round and say this would only apply to those unions that Government thought proper, decent and constitutional trade unions well run with proper outlook and not political trade unions. This recognition is a recognition by a tribunal.

Dr. NALINAKSHA SANYAL: No; by the Governor in his discretion.

The Hon'ble Mr. H. S. SUHRAWARDY: This recognition is a recognition by a tribunal which is set up by the Governor in his discretion. This tribunal functioned on the last occasion and recognised a number of trade unions which I would not even look at—a number of trade unions promoted by our comrades. A trade union has merely to conform to certain mechanical criteria, such as 250 members having their names in the register for a year or two before and showing a certain account book and then it is automatically registered. I only wish that this tribunal had put forward certain criteria of recognition which would have been more in conformity with the labour conditions and many of those trade unions which have been promoted by our comrades would never have been recognised. It is that kind of recognition which will take place under this Act—recognition by a judicial tribunal applying certain mechanical criteria. Now it is easy for anybody to get himself recognised, provided he keeps his book of accounts in order If that is a criterion that our comrades cannot conform to it is not our fault. If they keep their subscription books in order, their accounts books in order, and if they do not dissipate their money on various things, then their unions will be recognised and thereafter any member within that particular trade union, any worker, any labourer, can become a voter being a member of that trade union.

Mr. Banerji may think about it. He can in his registered trade union put in a large number of people in the same manner in which the Congress raises its membership, namely, that the members would not have to pay 4 annas as subscription; which will be paid by the magnets from above. In the same manner the membership of these labourers could be registered. Comrade Banerjee asks me to withdraw a statement which is patent and known throughout the world.

Dr. NALINAKSHA SANYAL: You speak on experience.

Mr. SURENDRA MOHAN MAITRA: The Hon'ble Minister is accustomed to make untrue statements.

The Hon'ble Mr. H. S. SUHRAWARDY: I can only hope that this legislation of ours will direct the attention of various comrades to the formation of genuine trade unions. We are most anxious to promote constitutional trade unions; we are most anxious to recognise them; we are most anxious to treat with them; we want the labourers to form themselves into trade unions and become strong and thereafter to make proper representations to us and to their employers. I trust that the legislation that we are fostering will result in directing the unconstitutional activities of labour leaders in constitutional paths so that they may promote genuine trade unions and make a success of the labour movement.

Dr. NALINAKSHA SANYAL: Then the Department will go into liquidation.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, the Hon'ble Labour Minister has stated lucidly the position of Government on this provision. Therefore I oppose the motion of Mr. Sibnath Banerjee.

The motion of Mr. Sibnath Banerjee that in clause 5(3), lines 1 to 3, for the words "A person shall be qualified as an elector of a labour constituency specified in Schedule III if he is a member of a trade union" the following be substituted, namely:—

> "A person shall be qualified as an elector of a labour constituency specified in Schedule III if he is a worker in any of the registered factories situated within the limits of Calcutta Corporation provided he worked for a period of at least six months in the aggregate during the year last preceding the year in which election is held"

was then put and lost.

Dr. SURESH CHANDRA BANERJEE: Mr. Speaker, Sir, I beg to move that in sub-clause (*4*) of clause 5, line 2, after the words "if he is" the words "an office bearer or a member of the Executive Committee or a paying" be inserted.

আমি বেশী কিছু বোলবো না। কারণ বেশী বলার দরকার নাই। কিছু বলার আগে মাননীয় শ্রমিক-মন্ত্রী মহাশয়কে আমি অনুরোধ করি যে, আমি যে ক'টী কথা বোলবো, তা যেন তিনি একটু মনোযোগের সাথে শোনেন। কারণ আমি জানি তিনি বাঙ্গালী নন এবং বাংলা ভালো বোঝেন না। এটা গণতন্ত্রের যুগ। এবং এ গভর্ণমেন্টকেও বলা হয় গণতান্ত্রিক গভর্ণমেন্ট। সুতরাং আমিও গণতান্ত্রিকভাবে যে মাতৃভাষা আমাদের দেশের জনগণ বোঝে তাতেই আমার বক্তব্য বোলবো। (The Hon'ble Mr. H. S. SUHRAWARDY : আমিও বাংলায় জবাব দিতে পারি।) (A member from the Congress group remarked মন্ত্রীমহাশয় দেখছি বাংলার বর্ণমালা শিখেছেন।) যে ধারাটি মাননীয় মন্ত্রীমহোদয় প্রবর্তিত কোরছেন সে ধারাটি আমার মতে বিধি বহির্ভূত (out of order); কেননা Statement of Object এ পরিষ্কার কোরে বলা হোয়েছে যে কলিকাতা মিউনিসিপ্যাল কর্পোরেশনে শ্রমিক প্রতিনিধিদের সংখ্যা যথেষ্ট (adequate) হওয়া দরকার এবং তাদের নির্বাচন ১৯৩৫ সালের ভারতশাসন আইন অনুসারে হওয়া চাই। মাননীয় মন্ত্রীমহোদয় ১৯৩৫ এর শাসনতন্ত্রের দোহাই দিয়েছেন বটে কিন্তু তিনি এই আইনের ততোটুকুই নিয়েছেন যতোটুকু বর্ত্তমান গভর্ণমেন্টের স্বার্থসিদ্ধির অনুকূল। যে অংশটা তাঁদের স্বার্থসিদ্ধির অনুকূল নয় কিন্তু শ্রমিকদের পক্ষে সুবিধাজনক সেটুকু বাদ দেওয়া হয়েছে। আমি মাননীয় শ্রমিক-মন্ত্রী এবং যে মন্ত্রীমহোদয় এই বিলটি House এর সমক্ষে উপস্থিত কোরেছেন তাদের উভয়কেই জিজ্ঞাসা কোরতে চাই—কলিকাতার ১২ লক্ষ লোকের মধ্যে যে ৬ লক্ষ শ্রমিকের বাস তাদের জন্য দুটি seat কি কোরে যথেষ্ট? আমি জানি শ্রমিকেরা শুধু ভারতবর্ষেই নয়, দুনিয়ার সর্ব্বত্রই লাঞ্ছিত, নিষ্পেষিত; তবুও বোলছি adequate representation এর উদ্দেশ্যে যেখানে নির্ব্বাচিত প্রতিনিধির সংখ্যা ৮৫ সেখানে তাদের জন্য অন্ততঃ ৪২টি seat এর বন্দোবস্ত রাখা উচিত ছিল। কিন্তু তাদের দেওয়া হয়েছে মাত্র ২টি seat । একি বাস্তবিকই adequate ? Government of India Act এ শ্রমিক প্রতিনিধিপদের প্রার্থী হওয়া সম্বন্ধে কি আইন আছে শ্রমিক মন্ত্রীমহোদয় তা ভালোরূপেই জানেন। সেখানে পরিষ্কারভাবে বলা হোয়েছে যে যদি কেহ কোন union এর office-bearer বা honorary member হন তবেই তিনি শ্রমিক প্রতিনিধিরূপে নির্ব্বাচিত হোতে অধিকারী। আমি শ্রমিকমন্ত্রী মহোদয়কে categorically জিজ্ঞাসা করছি একথা সত্য কিনা? আমার এই categorical প্রশ্নের স্পষ্ট জবাব চাই। বাংলার শ্রমিকদের সত্যিকার প্রতিনিধি কারা তা আপনারা জানেন। তার পরীক্ষা হোয়ে গেছে গত Assembly র নির্ব্বাচনের সময়। দুঃখের বিষয় বর্ত্তমান গভর্ণমেন্টের পক্ষে সেই নির্ব্বাচিত প্রতিনিধিদের খুব কমই আছেন। এজন্য গভর্ণমেন্ট এমনভাবে আইন প্রণয়ন কোরছেন যাতে যারা শ্রমিকদের সত্যিকার প্রতিনিধি তারা বাদ পড়ে। কিন্তু একটা কথা আপনাদের স্মরণ করিয়ে দিতেছি। আপনারা কি মনে করেন যাদের দিনের মধ্যে, প্রাতঃকাল থেকে আরম্ভ কোরে রাত্রি ৭।৮টা পর্য্যন্ত কাজ কোরতে হয়, যাদের মধ্যে শতকরা ৬ জনও শিক্ষিত নয়, যাদের শিক্ষার সুবিধার জন্য গভর্ণমেন্ট এখন পর্য্যন্ত কিছু করেনি। আলো বাতাসহীন বদ্ধঘরে যাদের বাস কোরতে হয়, জীবনে কোন দিন যারা শিক্ষার সুবিধা পায়নি, তারা কি বাস্তবিক সত্যিকার প্রতিনিধি হোতে শিখেছে? এ আমার নিজের কথা নয়। আপনারা যদি Government of India Act পোড়ে থাকেন, তাহলে নিশ্চয়ই দেখেছেন, তাতেও এই বিষয়টি বিশেষভাবে আলোচিত হয়ে নিরূপিত হোয়েছে যে বর্ত্তমানে শ্রমিকদের মধ্য হোতে শ্রমিকদের সত্যিকার প্রতিনিধি পাওয়া সুকঠিন।

সেইজন্য Government of India Act এ,—যার দোহাই আপনারা দিচ্ছেন, এবং যার দোহাই দিয়ে এই বিল আপনারা এনেছেন—সেই Government of India Act এরই এই বিধান যে নিজেরা শ্রমিক না হোলেও, যে সব শিক্ষিতদের শ্রমিকদের জন্য সত্যিকার প্রাণের দরদ আছে তারা শ্রমিক প্রতিনিধিত্ব করতে পারে। ঢাকার নবাবসাহেব সর্ব্বদাই majority র দোহাই দেন। কিন্তু তাঁকে আমি স্পষ্ট বোলে দিচ্ছি যে majorityর দোহাই চিরদিন চলে না। আর বেশী কথা না বোলে আমি শুধু বোলতে চাই, যে আইনের দোহাই দিয়া আপনারা এই বিলটা এনেছেন সেই আইনের বিধানমত সত্যিকারের ভাবে বুকে হাত দিয়ে কি আপনারা কাজ কোরবেন? মন্ত্রীমহোদয়েরা আমাদের অনেক কথারই উত্তর দেন না। আমি আশা করি অন্ততঃ আমার এই কথাটার ঠিকমতন উত্তর দেবেন। আর একটা কথা আমি না বোলে পারছিনা। Recognised union এ সম্বন্ধে মন্ত্রীমহাশয় অনেক কথাই বোলেছেন। তিনি বোলেছেন যে genuine union এর পক্ষে recognised হওয়া খুবই সহজ। কিন্তু মাননীয় মন্ত্রীমহোদয় কি জানেন না যে Calcutta Electric Supply Workers' Union এ আড়াই হাজার শ্রমিকের মধ্যে সাবে বাইশ শো fully paid member, সেই union টি recognised নহে কিন্তু মন্ত্রীমহোদয় একশো কি দেড়শো মেম্বরের যে bogus union টি করেছেন সে টি recognised মন্ত্রীমহোদয় বলেছেন যে union সমূহের চাঁদা চারি আনা মাত্র। তিনি কি জানেন না যে অধিকাংশ union এর চাঁদা চার আনার অনেক অধিক। union এর কথা মনে হোতেই বোধ হয় মন্ত্রীমহোদয়ের কংগ্রেসের চার আনার সভ্যের কথা মাথায় আসে। bogus union সমূহের সৃষ্টি করে মাননীয় মন্ত্রীমহোদয় যে বাংলার genunine union সমূহ ধ্বংস করতে চেষ্টা করছেন, এ সত্য কথা কে না জানে? এ বিষয়ে বেশী বলা নিষ্প্রয়োজন। আমি আশা করি সমস্ত বিষয় বিচার কোরে মাননীয় মন্ত্রীমহোদয় শ্রমিকদের ব্যাপারে পুনর্বিবেচনা কোরবেন এবং আমার এ সংশোধনটি স্বীকার করে শ্রমিকদের সত্যিকার প্রতিনিধি নির্ব্বাচন হওয়ার পথ উন্মুক্ত করে দিবেন।

The Hon'ble Mr. H. S. SUHRAWARDY: Mr. Speaker, Sir, I am not supposed to have understood a word of what Mr. Banerjee has said (cries of "Shame, shame" from the Congress Benches) and therefore if I am unable to reply to his clear-cut questions, I hope he will forgive me. He has asked me a question, and I do ask him one other question. He has spoken a great deal about the labourers and the conditions in which they live. Is he not prepared to give the actual labourers a chance? I think and we think that the labourers can represent their cause better than those political gentlemen who wish to take hold of the labourers and thereafter——(Loud noise from the Opposition. Mr. M. SHAMSUDDIN AHMED: A genuine labourer must in that case be a Labour Minister; not you. You just resign.)——Sir, they are talking about me. I worked for the labourers and the labourers know that I have worked for them. (Loud noise again from the Opposition benches!) But I have never taken advantage of my position to represent the labourers in any House as my friends have done. If they were the real friends of the labourers they would have stayed in the background and helped them and sent real labourers to represent their cause in this House. Instead of that they have kept for themselves all the power, all the advantages, all the prestige of the

members of the Assembly. Mr. Banerjee has spoken also of the manner in which the Government have treated the representatives of the labourers in this House. I do desire to make an important offer to him once more; let him leave aside the path of revolution and revolutionary slogans and the tall talks of destruction in which they indulge——

Dr. SURESH CHANDRA BANERJEE: On a point of order, Sir. If my reply was not relevant, is the Hon'ble Minister relevant now?

The Hon'ble Mr. H. S. SUHRAWARDY: I am not replying to that portion of Dr. Banerjee's speech which has been expunged, but that portion which is in order. Therefore, I offer him on behalf of Government complete co-operation if he takes the path of constitutionalism. But he wants revolution——

Mr. SPEAKER: Mr. Suhrawardy, you cannot discuss that any further.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I am not supposed to have understood the Bengali speech of Dr. Banerjee, and therefore I am unable to reply to him. However, Sir, I oppose the amendment. (Loud cries of "Shame, shame" from the Opposition Benches.)

The motion of Dr. Suresh Chandra Banerjee that in sub-clause (*4*) of clause 5, line 2, after the words "if he is", the words "an office bearer or a member of the Executive Committee or a paying" be inserted, was then put and lost.

Mr. SPEAKER: Mr. Basu, amendments Nos. 149 and 152 stand in your name and I think you can move both the motions now.

Mr. SANTOSH KUMAR BASU: Mr. Speaker, Sir, I beg to move——

Dr. NALINAKSHA SANYAL: On a point of order, Sir. The amendments refer to entirely different matters and may be moved separately.

Mr. SPEAKER: All right. If Mr. Basu wants it, he can move them separately.

Mr. SANTOSH KUMAR BASU: Sir, I beg to move that in clause 5 (*b*) in proposed section 20(*4*), in lines 6 to 9, the following words be omitted, namely:—

> "and which is recognised in accordance with the provisions of paragraph 18 of Part IV of the Government of India (Provincial Legislative Assemblies) Order, 1936".

With regard to this amendment, Sir, I want to draw the attention of the House to one important fact. The plain intention behind this provision is to get control on the part of the Government over the two representatives of Labour who will be returned under this clause. Government want to keep control over these two members who will be more or less in the position of nominated members, because the electorate by which they will be returned will be those trade unions which have been recognised by Government or by a tribunal set up by Government. It deliberately seeks to restrict the franchise to only a part of the Labour constituencies in Calcutta. Those who have had the fullest right to return members to the Bengal Legislative Assembly will not be entitled to exercise their franchise so far as elections to the Corporation are concerned. I think I am perfectly correct when I take up this position that by introducing this additional clause that only those unions which are recognised will be entitled to return members, Government desire to keep their control, Government desire to have a preponderating voice in the choice of the representatives. In the arrangement which has been made in the distribution of seats under this Bill, a clear attempt has manifested itself to keep just a majority as against the non-European members returned from the general constituencies. If we add these two members returned from the Labour constituency to the other members who are to be returned from the non-general constituencies,—if I may coin that expression—it will be found that a clear majority of three or four seats will be obtained against those who are to be returned by the general constituencies. And in their general counting these two seats which are to be filled by representatives of recognised labour will play a very important part. It is from that point of view that I have tabled this amendment. It is a part of the general scheme to keep the representatives of general constituencies in a perpetual minority. On the day on which the election of the Aldermen will take place, those gentlemen who will represent constituencies other than general constituencies will have a clear majority, and these two labour members will contribute to the further strengthening of that majority on that fateful day. It is for that reason that I consider it necessary to lodge my protest against this devious course which has been adopted by Government by putting in this particular clause as an addition to the general clause that only registered trade unions should have the franchise. No, the clause

in the Bill says not only "registered" but also "recognised". From the way in which the Hon'ble the Labour Minister spoke of the registered trade unions, one feels inclined and tempted to put the question: "Why not amend the Trade Union Act, if that be in your power?" So long as the Trade Union Act remains on the statute-book, you cannot treat these trade unoins with such supercilious contempt, as has been done by the Labour Minister in his speech. Whenever he stands up, to speak in this House, I have noticed that he takes up an attitude of superior contempt with regard to these trade unions, except those which he has taken under his protecting wings, or which are fostered and nurtured by him for purposes best known to himself. I have no quarrel at all with any such attempt on his part or his department. If he wants to raise the tone of the labour movement in this province by any such attempt, by all means he is welcome to do so, but I have always found, as I have done in this case also, that according to the Hon'ble Labour Minister mere registration is no passport to the enjoyment of the full privileges or rights of a trade union. A further stamp of recognition has got to be secured before they can be made touchable. That is the position which the Labour Minister invariably takes up, and this is the attitude which he has taken up on this occasion also.

Well, in the bargain, he has chosen to throw a fling at the recruitment of Congress members. I do not know what relevancy that had with regard to the matter which is now before the House. He delights in taking up a pose of superiority. He has never been known to suffer from a lack of brass, which may be wanting in other Ministers who are his colleagues in the Cabinet, but when that brass is sought to be used against the Congress, I would remind him that he should take particular care of what he is saying before he utters such stuff as he has done in this House. (The Hon'ble Mr. H. S. SUHRAWARDY: Truth, truth, young man!)

Mr. SPEAKER: The Hon'ble Mr. Suhrawardy will now speak.

Mr. NIHARENDU DUTTA MAZUMDAR: Mr. Speaker, Sir, is this the last speech on the amendment?

Mr. SPEAKER: Do you want to speak?

Mr. NIHARENDU DUTTA MAZUMDAR: Yes, Sir, but I want to speak after the Hon'ble Mr. Suhrawardy has spoken.

Mr. SPEAKER: No, you cannot do that. The Hon'ble Mr. Suhrawardy will conclude the debate on this amendment.

Dr. NALINAKSHA SANYAL: Why should the Hon'ble Mr. Suhrawardy conclude the debate? The Hon'ble Minister in charge of the Bill ought to conclude the debate

Dr. SURESH CHANDRA BANERJEE: Sir, I also have got an amendment. I, too, want to speak.

Mr. SPEAKER: I shall allow only one member to speak. Mr. Dutta Mazumdar, if you want to speak I hope you will be very brief.

Mr. NIHARENDU DUTTA MAZUMDAR: All right, Sir.

Sir, I rise to support the motion of Mr. Santosh Kumar Basu for the deletion of the latter portion of clause 5(4), where it is provided that a trade union will have to be recognized in accordance with the provisions of paragraph 18 of Part IV of the Government of India (Provincial Legislative Assemblies) Order, 1936.

Sir, the Hon'ble the Labour Minister pointed out that there could be no possible objection to the retention of this clause because the recognition of trade unions, he contended, was done by a judicial tribunal May I point out here, Sir, that section 18 of Part IV of the Government of India (Provincial Legislative Assemblies) Order, 1936, provides clearly that a trade union shall be deemed to be a constituent trade union if and only if it is a recognised trade union and is certified by the Governor, exercising his individual judgment

Now, Sir, in what manner the Governor is going to exercise his individual judgment is entirely a matter for the Governor to decide. That is not within the purview of this House. If the Governor so chooses, he may set up a particular sort of a tribunal for the purpose of issuing certificates of recognition. If the Governor is so pleased, he may choose some other course. After all that is said and done, it remains a matter entirely for the individual discretion of the Governor. I say, Sir, that the contention of the Hon'ble the Labour Minister is bad on principle and is harmful to the labour movement, to the growth of labour organizations, and for securing genuine representatives of labour in this province, as we are placed to-day. I submit, Sir, that for this House it is a most objectionable and undesirable thing to extend further recognition on the initiative of this House to a piece of legislation, and to a clause, which we do not regard as acceptable to us on the ground of principle. Sir, the Governor's individual discretion is accepted, because it is there in the Government of India Order. We, Sir, do not like that the Governor should be vested with special powers regarding his individual discretion on matters which should be determined entirely by the wishes of a democratically elected majority.

From this point of view, the retention of this clause becomes repugnant and undemocratic. I submit, Sir, that all that has been said with regard to the desirability of retention of this clause has not made out a case in its favour. The Hon'ble Minister simply pleaded that there was a tribunal set up under the Governor's individual discretion.

The Hon'ble Minister tried to make much of the fact that certain simple steps will have to be taken in order to secure recognition. He has mentioned that certain forms will have to be filled in and certain provisions regarding accounting will have to be complied with. May I ask the Hon'ble the Labour Minister to ponder over the fact that to-day with the extremely low wages of our workers, to-day without any security of their employment—those who are employed to-day may not be employed to-morrow—and with the condition of insecurity of their service, it is impossible to have a very stable membership unless and until there has been greater security of service, there has been greater continuity of employment, and there has been better wages provided. It is, therefore, impossible for our trade unions to have sufficiently large funds to have all the paraphernalia even to keep an up-to-date account and an elaborate machinery as is contemplated by the recognition clause, unless bogus methods are resorted to. Sir, I wish to cite only one example. Here under the Government of Bengal we have a Labour Department. Let us see how the rules are complied with there, and how efficiently the Labour Department functions. Here, Sir, we have an annual report of the working of trade unions in Bengal published every year. We always find, Sir, that the report for the year is published late—late by over a year! The report for the year ending 31st March, 1938, has been circulated and received by us only this morning, i.e., in May, 1939. Now, Sir, this would give you some indication as to the method of work that this kind of reporting and accounting entail. I do not want to make any comment. The fact itself and the time taken have their own eloquent comment to make on the efficiency of the Labour Department of the Government of Bengal. Of course, there may be some other explanation; the Hon'ble Minister may give some plausible explanation, but, as I was saying, all this takes place with the Labour Minister having sufficient provision of funds, his salary being Rs. 2,500 a month (the Hon'ble Mr. H. S. SUHRAWARDY: Less income-tax), his being provided with funds for his so-called labour welfare-work and his being supplied with all the paraphernalia, all the staff and all that is necessary in this direction. If the Labour Department could show no more efficiency than this in only publishing an annual report and if the Labour Minister takes no less than a year to supply even this report, which does not consist of more than about 25 or 26 pages, then, Sir, you can easily imagine how efficient the Labour Department is! In particular, Sir, the policy which is being followed by the Labour Minister has become a source of

discouragement to the labourers from joining the trade unions. From this point of view, Sir, the restrictions imposed on the trade unions will curtail the right of representation of the labourers.

If it is said, Sir, as it was said in another amendment, in this House, that a person shall be qualified as an elector of a labour constituency specified in Schedule III if he is a worker of a factory registered under the Trade Unions Act of 1926 and situated within the limits of the Calcutta Corporation,—this would be quite enough, coupled with the other provisions that follow. Therefore, Sir, I submit that the Hon'ble the Labour Minister and the members of the Coalition Party may do well to ponder over this as to whether they are enhancing the power of this House, whether they are securing genuine representatives, or whether they are creating additional impediments in the way of labour being genuinely represented.

I would say that a trade union which may not have any genuine membership at all, but may have the backing of the purse which is perhaps at the disposal of the Hon'ble Labour Minister, a trade union which may be subsidized and is perfectly a sort of bogus, mulafide organisation but may keep proper accounting books and all other paraphernalia, such trade unions may secure recognition. But a trade union with genuine membership and consisting of workers employed in factories where there is no security of employment and where the labour force is constantly shifting due to insecurity, may often be left aside; in such trade unions again, there are occasional police raids in their offices when the police take away their account books, lists of membership and all other documents and thus cause disorganisation. Under the present system, although a trade union is genuine, it is impossible for such a union to get recognition. From that point of view, I think, the proposed method is absolutely bad and will not serve the real purpose. I think, at least, some members of the Coalition Party will realise the necessity of having genuine labour members to represent labour. The intention is to have two genuine representatives of labour under this clause but the method adopted will frustrate that purpose. The labourers must have the right to choose genuine representatives from amongst themselves, to choose anybody that they like —anybody whom they can trust to represent their true interests. It is well known that in labour constituencies, in trade unions and similar organisations, if there is an individual representing the cause of labour——.

The Hon'ble Mr. H. S. SUHRAWARDY: On a point of order, Sir. This part of the argument has been already disposed of in a previous case, namely, whether outsiders who are manual labourers can be returned to the Legislature. That has been disposed of and defeated.

Mr. SPEAKER: Mr. Mazumdar is speaking as to whether recognition should be given to a particular kind of labourers.

Mr. NIHARENDU DUTTA MAZUMDAR: I was going to illustrate how this clause goes on to restrict the possibility of the representation of genuine labourers. I was emphasizing the fact that by the proposed method, there has been introduced an added impediment. Only such people who do not have to work for 8, 10 or 12 hours a day inside the factory, and to depend for their living on factory employment for such long hours can properly work the trade unions. If such men, who according to the Hon'ble Labour Minister would be outsiders but are genuine workers, have the opportunity of working in trade unions, then alone it may be expected for such trade unions to comply with the provisions of recognition. They are undoubtedly truly representative of genuine labour; but how is it possible for men working long hours in the factory to keep regular accounts or maintain returns and do all such things regularly. You lay down a condition which it is impossible for genuine trade unions to fulfil in order to get recognition. Therefore, Sir, what benefit is given by the front door is taken away by the back door. Its effect is extremely unfair. I think, with an easy and clean conscience, the members of the Coalition Party, if they will only for a moment ponder over the effect of this provision, cannot support it and yet hold that they are, by these means, securing genuine representation of labour. I, therefore, support Mr. Basu's amendment and oppose the original clause as it stands. I hope, Sir, that if the honourable members of the Coalition Party and the sponsor of the Bill are actuated by a genuine desire to secure true representation of labour, they will accept Mr. Basu's amendment.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, in reply to Mr. Santosh Kumar Basu's argument, I would like to say that Government have no desire whatsoever to keep control over the labour constituencies. As soon as a tribunal is set up, it will pass out of the control of Government, and thereafter any trade union, which conforms to certain rules that have been laid down, will be duly recognised whether Government like it or not. As I said when considering what should be recognised for the purpose of the Assembly, many such trade unions have been recognised which Government would never have recognised under any circumstances and so there is absolutely no danger of Government interference.

Now, every time Mr. Basu speaks about these two labour constituencies or such other matters, he complains that it will alter the balance of general constituencies *vis-a-vis* the other constituencies. So far as the general constituencies are concerned, there is absolute

majority for them, namely, 47 out of 93. But all the time, I am afraid, Mr. Basu is thinking not of the majority for the general constituencies, but he is thinking what would be the position of the Hindu constituencies, namely, the Congress constituencies; what would be the number of the Congress supporters is what is at the back of his mind; otherwise the figure is clear—47 for general constituencies out of a total of 93. Two of them may go to non-Congress people—that is why he is anxious to get two more seats from the labour constituencies. In this connection, I may refer to a Bengali proverb—

"যার জন্য চুরি করি সেই বলে চোর!"

Mr. SPEAKER: Mr. Suhrawardy, that is enough! (Laughter.)

Mr. SANTOSH KUMAR BASU: I shall not allow the Hon'ble Minister to be thieving even in spite of himself! (Laughter.)

The Hon'ble Mr. H. S. SUHRAWARDY: Mr. Basu has said that whenever I talk about trade unions, particularly about registered trade unions, I treat them with contempt. That is incorrect. I do not treat the registered trade unions with contempt. The registered trade unions that are being misled by our comrades—I treat them with sorrow and I do hope that in course of time not only these trade unions but also our comrades will take to the path of strict rectitude and constitutionalism.

Mr. Basu has spoken about certain qualities which he terms as "brass". Now, so far as that is concerned, only it is of more value that the tinsel which Mr. Basu flaunts before us——

Mr. SPEAKER: Mr. Suhrawardy, please finish your reply quickly as there is still another amendment.

The Hon'ble Mr. H. S. SUHRAWARDY: I do not think I will have to say anything more regarding that, as I will repeat what I have said just now.

Mr. Basu has given me a warning for speaking against the Congress; so far as that is concerned, I ignore it. I shall always speak the truth disregarding whether the Congress takes to the path of violence as it did the other day.

Mr. SANTOSH KUMAR BASU: Yes, your brand of truth!

The motion of Mr. Santosh Kumar Basu that in clause 5(*b*) in proposed section 20(4), in lines 6 to 9, the following words be omitted, namely:—

"and which is recognised in accordance with the provisions of paragraph 18 of Part IV of the Government of India (Provincial Legislative Assemblies) Order, 1936"

was then put and a division taken with the following result:—

AYES—59.

Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Ahmed Khan, Mr. Syed.
Banerji, Mr. P.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barman, Babu Upendra Nath.
Basu, Mr. Santosh Kumar.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Babu Narendra Narayan.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Dr. J. M.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Giasuddin Ahmed, Mr.
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. Jogesh Chandra.
Hasan Ali Chowdhury, Mr. Syed.
Jalaluddin Hashemy, Mr. Syed.
Jalan, Mr. I. D.
Jonab Ali Majumdar, Maulvi.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mookerjee, Dr. Syamaprasad.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. B.
Mukherji, Dr. H. C.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasker, Mr. Hem Chandra.
Pramanik, Mr. Tarinicharan.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Roy, Kumar Shib Shekhareswar.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.

NOES—109.

Abdul Aziz, Maulana Md.
Abdul Bari, Maulvi.
Abdul Hakim, Maulvi.
Abdul Hamid, Mr. A. M.
Abdul Kader, Mr. alias Lal Meah.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rashid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abul Hosain Ahmed, Mr.
Abul Quasem, Maulvi.
Aftab Ali, Mr.
Aftab Hosain Jeardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Ashrafali, Mr. M.
Aulad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Bell-Hart, Miss P. B.
Blomenstock, Mr. L. M.
Brown, Mr. A. O.
Chippendale, Mr. J. W.

Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Edbar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Faziul Huq, the Hon'ble Mr. A. K.
Faziul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Fazlur Rahman (Mymensingh), Mr.
Gomes, Mr. S. A.
Griffiths, Mr. C.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hamilton, Mr. K. A.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kennedy, Mr. I. G.
MacGregor, Mr. G. G.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mahtab, Maharajkumar Uday Chand.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Masud Ali Khan Panni, Maulvi.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Solaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Norton, Mr. H. R.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Sarkar, Babu Madhusudan.
Serajul Islam, Mr.
Shamsuddin Ahmed Khondkar, Mr.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Warren, Mr. P. F. S.
Wordsworth, Mr. W. C.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 59 and the Noes 109 the motion was lost.

Mr. SPEAKER: I hope Mr. Basu, in moving your amendment (152) you will be as brief as possible, because I want to close the debate as soon as it is finished.

Mr. SANTOSH KUMAR BASU: I beg to move that in clause 5(*b*), in proviso (*ii*), to the proposed section 20(*4*), in line 2, for the word "industry" the word "occupation" be substituted.

My purpose in bringing forward this amendment is this: I find that in the clause as drafted the words used are as follows:—

Proviso (*ii*) to sub-clause (*4*): "has been actually engaged or employed within the limits of Calcutta in an industry with which the trade union is connected".

When I put forward this amendment I was rather in doubt as to whether this would be a comprehensive provision to include all kinds

of trade unions within its purview, because a trade union need not necessarily be connected with an industry. The word "industry" has got a definite meaning. There may be certain trade unions which may not be connected with an industry but which all the same might be good enough trade unions to be entitled to send their representatives to the Corporation. For that reason I wanted to substitute the word "industry" by the word "occupation". I would just give an example which probably might help to clear the issue. Take for instance shop assistants. They might form a union which would not be a union connected with any industry, but which would certainly be a union connected with an occupation. From that point of view, in order to make the provision more comprehensive, probably the word "occupation" might be used with greater advantage in place of the word "industry". I do not know what view the Hon'ble the Minister will take in this matter, but I must say that it is merely a change with the intention of making the provision more comprehensive so as to include the majority of the labourers within the purview of this clause.

Mr. SPEAKER: Mr. Suhrawardy, have you heard him? Have you anything to say in reply?

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I see no reason for this apprehension on the part of Mr. Santosh Kumar Basu, because the question really is that we want persons who are engaged in an industry to come in. Now whether shop assistants can come in or not, I believe that so far as labour constituency is concerned,—I am talking about shop assistants in particular—they are not members of a genuine labour constituency. I doubt very much whether Mr. Basu can give any other illustration. He has given an illustration in regard to a union which is composed of persons who can never be members of a labour constituency and who are not labourers.

Mr. SPEAKER: Take the case of labourers engaged in docks.

The Hon'ble Mr. H. S. SUHRAWARDY: They are engaged in the shipping industry and they will certainly come in.

Mr. SANTOSH KUMAR BASU: I only gave that as an illustration. The word "industry" could not cover everything.

Mr. SPEAKER: That is understood.

The motion of Mr. Santosh Kumar Basu that in clause 5 (*b*) in proviso, to the proposed section 20(*4*), in line 2, for the word "industry" the word "occupation" be substituted was then put and lost.

Mr. SPEAKER: Mr. Sibnath Banerjee, you have drafted your amendment in such a way that it does not fit in. That disposes of all the amendments.

The motion that clause 5 as amended stand part of the Bill was then put and agreed to.

Adjournment.

The House was then adjourned till 4-45 p.m. on Monday, the 8th May, 1939, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday the 8th May, 1939, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 11 Hon'ble Ministers and 212 members.

STARRED QUESTIONS

(to which oral answers were given)

Training of chaukidars and dafadars in repairing tube-wells.

***420. Kazi EMDADUL HAQUE:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Medical Department be pleased to state whether it is in the contemplation of Government to introduce tube-wells in Union Board areas instead of cement concrete ring wells?

(*b*) If so, what are the reasons?

(*c*) Are the Government considering the desirability of training some *chaukidars* and *dafadars* for doing small repairs to tube-wells?

The Hon'ble Mr. A. K. FAZLUL HUQ (on behalf of Minister in charge of the Public Health and Medical Department): (*a*) and (*b*) Government have issued instructions that tube-wells, being the most hygienic sources of water-supply, should be normally insisted upon but that where local requirements could be better met by masonry or concrete wells or concrete ring-wells, such wells might be adopted provided they were covered with concrete slabs and supplied with hand pumps.

The question of the suitability of the different types of water-supply works was discussed in detail at the last Conference of Chairmen of District Boards and is being further examined by Government in the light of the suggestions made at the Conference.

(*c*) No.

Mr. PROMATHA RANJAN THAKUR: With reference to answer (*c*), is the Hon'ble Minister aware that these tube-wells, when out of order, remain in that condition for a long time, and that no tube-well experts are sent to repair them and people suffer from scarcity of water?

The Hon'ble Mr. A. K. FAZLUL HUQ: Stated as a general proposition, I do not admit that it is correct.

Mr. SASANKA SEKHAR SANYAL: Is the Hon'ble Minister aware that from time to time these tube-wells go out of order?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes, sometimes they do.

Mr. SASANKA SEKHAR SANYAL: What arrangements are there at present for restoring these out-of-order tube-wells to order?

The Hon'ble Mr. A. K. FAZLUL HUQ: It is more than I can say. It all depends on local circumstances.

Pension bills dealt with by Treasury Officer, Chittagong.

*421. **Khan Bahadur Maulvi FAZLUL QUADIR:** (*a*) Will the Hon'ble Minister in charge of the Finance Department be pleased to state—

(*i*) whether any date is fixed for passing the bills of the Government pensioners during a month by the Treasury Officer, Chittagong;

(*ii*) whether the bills are always passed before 2 o'clock enabling the pensioners to encash them from the Imperial Bank on the same day;

(*iii*) whether priority is given in passing the bills of women pensioners; and

(*iv*) how many pension bills during the month of October, 1938, were passed by the Treasury Officer, Chittagong, at late hours so that they could not have been encashed at the Imperial Bank on the same day?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) whether the Treasury Officer, Chittagong, had a stroke of paralysis;

(*ii*) whether he writes with his left hand slowly;

(*iii*) how long does the Treasury Officer, Chittagong, stay in his office; and

(*iv*) how long the old and invalid pensioners are usually detained?

(*c*) If the answer to (*b*) is in the affirmative, does the Hon'ble Minister contemplate his transfer to any other department at an early date?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Mr. Nalini Ranjan Sarker): (*a*) (*i*) In pursuance of the Standing Order of the Collector, pensions are paid on different days according to the rates thereof between the 4th and the 12th of every month.

(*ii*) Generally pensioners receive payments on the same day on which their bills are presented. Exceptions may arise when the treasury reopens after long holidays. On such occasions bills are presented and passed even after 2-30 p.m. In such cases alone pensioners receive payments on the following day

(*iii*) Yes.

(*iv*) On 11th of October when the Treasury reopened after being closed for 13 days, 38 out of the 196 bills presented could not be passed for encashment on the same day.

(*b*) (*i*) and (*ii*) No.

(*iii*) Ordinarily from 11 a.m. to 7 p.m and occasionally he stays even later than 7 p.m.

(*iv*) Never longer than is absolutely necessary.

(*c*) Does not arise.

***422. The Hon'ble Mr. A. K. FAZLUL HUQ:** In the absence of the Hon'ble Mr. Suhrawardy, this question may be deferred for the present; otherwise I would be prepared to answer it.

Mr. SPEAKER: I shall rather take it later on.

Cost of liveries of chaukidars of Kurigram subdivision.

***423. Kazi EMDADUL HAQUE:** (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to state—

(*i*) the amount of money received by Government from the Union Boards under police-station Kurigram in Kurigram subdivision on account of liveries of *chaukidars* and *dafadars* during the last five years; and

(*ii*) the amount spent for the liveries supplied to the *chaukidars* and *dafadars* during the period?

(*b*) Are the Government considering the desirability of bearing the cost of liveries of *chaukidars* and *dafadars* out of the provincial fund?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) (*i*) Rs. 941-8-3 during 1341-1345 B.S.

(*ii*) Rs. 1,608-11 during the same period.

(*b*) No.

Hardship in certain Union Boards in Gaibandha subdivision, Rangpur, for want of agricultural loan.

***423(A). Maulvi ABU HOSSAIN SARKAR:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware –

(*i*) that the inhabitants of Bochagari, Kamarjani, Kapasia and Harupur Unions in the Gaibandha subdivision, district Rangpur, are undergoing economic hardship; and

(*ii*) that these unions are situated in the area overflooded by the Brahmaputra and the Teesta Rivers?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what amount of agricultural loans has been granted to the cultivators of those unions this year?

(*c*) Is the Hon'ble Minister aware –

(*i*) that there is still a demand for loans; and

(*ii*) that petitions are being filed to the authorities praying for further loans?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, are the Government proposing to take to meet the demand?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) (*i*) Yes.

(*ii*) Yes.

(*b*) A sum of Rs. 15,050 was distributed up to March, 1939.

(*c*) (*i*) and (*ii*) Yes.

(*d*) A further sum of Rs. 25,000 has been sanctioned for distribution as agricultural loans.

Maulvi ABU HOSSAIN SARKAR: Is the Hon'ble Minister aware that the sum already sanctioned is too insufficient for the area affected?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir.

Maulvi ABU HOSSAIN SARKAR: Is the Hon'ble Minister aware that there is a good number of landless agriculturists who do not get agricultural loans in that area?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government have also sanctioned large amounts for test relief works.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state what amount has been sanctioned for test relief work?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, there is a short-notice question on the very subject, and I propose to reply to all these points in connection with the reply to that question.

Distress in riparian areas of Bengal.

***423(B). Mr. AHMED HOSAIN:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that distress in very acute form is prevailing over the areas of the province affected by the last devastating flood;

(*ii*) that in some places it has taken a turn which is akin to famine condition;

(*iii*) that in parts of some riparian districts, e.g., Rangpur, Bogra, Pabna, Mymensingh, Faridpur, the distress has taken such a turn that people have fallen in actual starvation *en masse;*

(*iv*) that those who have fallen in starvation have no avenues for any earning, no resources to fall back upon, and no chance of getting any help from anybody by way of loan or other advances;

(*v*) that there has arisen a chance of loss of human life through hunger on a large scale; and

(*vi*) that the situation has been aggravated by the prevailing unusual drought and loss of "China" crop and prospect of general loss of crop?

(*b*) If the answer to (*a*) is in the affirmative, what steps do the Government propose to take and have they taken to combat the situation?

(*c*) Are the Government considering the desirability of issuing a general circular to their officers, to keep the Government informed fully about the situation every moment, to help to organise non-official

relief committees locally, and to be specially particular in unhesitatingly asking from the Government the minimum sum required to check any loss of human life due to starvation?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) Not in all areas.

(*ii*) Reports received to date from the affected districts show that while there is continuing distress in some, in none are the conditions akin to famine.

(*iii*) No. The relief measures taken by Government preclude any such possibility.

(*iv*) Test works have been opened and agricultural loans and gratuitous relief have been granted when necessary. These measures will be continued and, if necessary, extended in order to prevent the possibility either of starvation or of land going out of cultivation.

(*v*) Such a chance has not and will not arise as Government will use all their resources to prevent any such situation.

(*vi*) Yes, though the widespread showers in the last few days have eased the situation to some extent.

(*b*) See answer to (*a*) (*iv*).

(*c*) Such instructions have already issued and Government are being kept in close touch with the situation.

Mr. SASANKA SEKHAR SANYAL: In view of the questions and answers (*a*), (*i*) and (*ii*), is the Hon'ble Minister aware that in a part of the Sadar subdivision of the Murshidabad district sudden discontinuance of test relief work has led to such a situation that during the whole of the last week, particularly on Saturday and Sunday, a large number of hunger-machers, including a large number of ladies, came to the town?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: So far as I am aware, Government have received no requisition for more money for test relief work. During the month of April last Government sanctioned a sum of Rs. 30,000 for test relief work for the district of Murshidabad. In fact, we have up till now advanced nearly 3 lakhs of rupees for test relief work to the District Board of Murshidabad.

Mr. SASANKA SEKHAR SANYAL: In view of the statement I have made which, I may add, is based upon my personal information, because I went there, will the Hon'ble Minister consider the desirability of immediately sending instructions to the district authorities to see that this deadlock does not continue and test relief works do continue?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Most certainly, Sir.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether he is aware that very recently the Subdivisional Officer of Madaripur sent requisitions to the District Magistrate of Faridpur for money, both for agricultural loans and gratuitous relief?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, we received some requisitions from the Collector of Faridpur, but I do not know exactly whether there was any requisition from the Subdivisional Officer of Madaripur or not to the Collector.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether his attention has been drawn to a report which has appeared in the *Ananda Bazar Patrika* sent by Maulvi Golam Maula Chaudhury, an ex-M.L.C., who is the president of the local relief committee, that of about three-fourths of the people who needed agricultural loans, not more than one-fourth got such loans?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, Government are in daily touch with the situation, and they do not care to look to the *Ananda Bazar Patrika* for information We receive direct information from the Collectors, and we rely on that information more than on press propaganda.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state what is the remedy which may be available to the sufferers if sufficient relief is not obtained by them from the District Magistrates?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: There is no reason to assume that they will not receive sufficient help.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state, with reference to his answer (*c*), whether there are reports in daily papers that several persons died of starvation in the district of Rangpur?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir. We have not received any such information up till now.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to look up the *Ananda Bazar Patrika* of to-day, which reports the death of two persons of village Panchpir in the Gaibandha subdivision?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: They are mere allegations, and we place no reliance on such vague allegations, as are usually made in papers like the *Ananda Bazar Patrika*. Government rely on direct information from Collectors.

Maulvi ABU HOSSAIN SARKAR: Is the Hon'ble Minister prepared to go to the locality personally and after that contradict the reports in the papers?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is not necessary for an Hon'ble Minister to go to the locality and enquire into such questions. Government have sufficient confidence in the local officers. If any such incident has occurred, I am sure the Collector would have at once reported the matter to us.

Babu NARENDRA NARAYAN CHAKRABARTY: মাননীয় মন্ত্রী-মহাশয় এটা স্বীকার কোরবেন কিনা যে গত বন্যার সময় পাবনা জিলার অধিকাংশ কৃষক এবং প্রজা তাদের সমস্ত শস্যই—উৎপন্ন শস্য এবং সঞ্চিত শস্য—উভয়ই হারিয়েছে?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Not the whole of it, but unfortunately quite a large portion of it.

Babu NARENDRA NARAYAN CHAKRABARTY: মাননীয় মন্ত্রী-মহাশয় স্বীকার কোরবেন কিনা যে তাদের যে পরিমাণ শস্য উৎপাদিত হোয়েছে বোলে মন্ত্রী-মহাশয় খবর রাখেন, সে পরিমাণ শস্য তাদের খাদ্য যোগাবার পক্ষে যথেষ্ট নয়?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, it is true that the amount of crops that these people got were probably not sufficient for their sustenance up till now. But I do not accept the suggestion that Government information on this point was wrong.

Babu NARENDRA NARAYAN CHAKRABARTY: মাননীয় মন্ত্রী-মহাশয় অনুগ্রহ কোরে জানাবেন কি, যে আজ পর্যন্ত সঞ্চিত শস্যের দ্বারা তাদের খাদ্য সমস্যা নিরাকরণ যদি না হোয়ে থাকে তাহোলে বর্ত্তমান সময় তারা কি কোরে জীবণ ধারণ কোরছে?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government have advanced large sums of money as agricultural loans and for test relief work, and have also distributed money for gratuitous relief, and I think these will help these people to carry on during the period of distress.

Babu NARENDRA NARAYAN CHAKRABARTY: মাননীয় মন্ত্রী-মহাশয় একথা স্বীকার কোরবেন কিনা, যে পরিমাণ অর্থ পাবনা জিলার দুস্থ জনসাধারণের সাহায্যের জন্য তাঁরা ব্যয় কোরেছেন তা জনপ্রতি গড়ে তিন টাকার বেশী পড়ে না?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, the average is very misleading, and it leads to no correct conclusion.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state what material Government have got in their possession to characterise the press reports as press propaganda? (The Hon'ble Mr. H. S. SUHRAWARDY: "Ho, ho!")

The Hon'ble Sir BIJOY PRASAD SINGH ROY: My experience as a public man for the last 20 years and common-sense.

Mr. RASIK LAL BISWAS: মন্ত্রীমহাশয় কি জানেন যে যশোহর জিলায় মাগুরা এবং নড়াইল সবডিভিসনে গত বছরে এবং তার আগের বছরে শস্য সমস্তই নষ্ট হোয়ে গেছে?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Not the whole of the crop, but I am afraid that a good portion of it was destroyed during the last flood.

Mr. RASIK LAL BISWAS: মন্ত্রীমহাশয় কি জানেন যে, যে সমস্ত অঞ্চলে শস্য নষ্ট হোয়ে গেছে সেই সমস্ত অঞ্চলের লোকেরা এখন পর্য্যন্তও কিছু ফসলই পায় নাই এবং ৩।৪ মাসের মধ্যে কোন ফসল পাবেও না?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: They got very good *rabi* crop and they may get good *aus* crop by the beginning of July next.

Mr. RASIK LAL BISWAS: মাননীয় মন্ত্রীমহাশয় কি দয়া কোরে জানাবেন যে সমস্ত জায়গায় গত বছর শস্য নষ্ট হোয়ে গেছে তার কোন্ কোন্ অঞ্চলে good রবি শস্য হোয়েছে?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice, Sir.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state his reasons for stating that the agricultural loan is adequate?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Because it is adequate. The amount shows that it is adequate.

Mr. NISHITHA NATH KUNDU: In view of the statement made by the Hon'ble Minister that the report published in the *Ananda Bazar Patrika* is baseless and is press propaganda, does the Hon'ble Minister think it desirable to take steps, so that, in future, this sort of baseless reports may not be published?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, we do not believe in gagging the press, but if the House will empower Government to do so (laughter), we shall gladly accept that power.

Mr. NISHITHA NATH KUNDU: Sir, my first question has not yet been answered. I asked what were the reasons for his stating that the agricultural loan was adequate

Mr. SPEAKER: That has been answered already.

Dr. NALINAKSHA SANYAL: With reference to the Hon'ble Minister's answer to the question of Mr. Dhirendra Nath Datta, may I enquire if it is the personal experience of the Hon'ble Minister in charge of the Revenue Department that the news, reports and other notes that are published in the papers about his tours, speeches, etc., are all matters of press propaganda? Is it his personal experience that all those reports which are published in the papers are mere propaganda?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I don't think that question arises. My long experience as a public man in this province extending over a period of 20 years and my commonsense entitle me to infer that it is nothing but press propaganda.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state what amount the District Magistrate of Rangpur requisitioned for the purpose of agricultural loans, gratuitous relief, and test relief work respectively?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, recently we received a suggestion. My honourable colleague, the Hon'ble Mr. Suhrawardy, had been to Rangpur, and he suggested that large amounts should be distributed as agricultural loans and for gratuitous relief in the two subdivisions of Gaibandha and Kurigram, and in pursuance of that suggestion Government have already sanctioned Rs. 50,000 for test relief and agricultural loans and Rs. 3,000 for gratuitous relief pending the submission of the full estimate by the Collector through the Commissioner, which I am expecting every moment.

Maulvi ABU HOSSAIN SARKAR: Will the Hon'ble Minister be pleased to state if the request or report, whatever it may be, sent by the Hon'ble Mr. Suhrawardy, is sufficient to sanction the amount he suggested?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Certainly it is.

Babu NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state if he is aware that acute distress prevails in Tarokhada of the Khulna Sadar subdivision and Mollahat of Bagerhat subdivision in the Khulna district and if any information has been received from the District Magistrate or any other quarter about this?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir. Acute distress unfortunately prevails in the following districts at the present moment:—Murshidabad, Jessore, part of Mymensingh, Faridpore, Bakarganj, Rangpur and Pabna.

Babu NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state if he is aware that there has been want of rain for the last six months in the Khulna district?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Probably there had been welcome shower during the last 48 hours.

Conciliation Board for the Indian Iron and Steel workers of Asansol.

***422. Mr. SIBNATH BANERJEE:** (*a*) Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state when was the Conciliation Board under the Trades Dispute Act formed regarding the dispute of Indian Iron and Steel workers of Asansol?

(*b*) When did the Conciliation Board start its work?

(*c*) Has the Conciliation Board finished its work?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) when was the report signed; and

(*ii*) when will the report be published?

(*e*) Is the Hon'ble Minister aware—

(*i*) that a feeling of discontent exists amongst the workers for the non-publication of the report of the Conciliation Board;

(*ii*) that after the Conciliation Board had been formed at Asansol the Bihar Government formed Conciliation Boards for settling the disputes of tinplate workers at Goulmuri and cable workers; and

(*iii*) that those Conciliation Boards have already finished their work and disputes have been settled?

MINISTER in charge of the COMMERCE and LABOUR DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): (*a*) The Board was constituted on the 6th August, 1938.

(*b*) On the 8th August, 1938.

(*c*) Yes.

(*d*) (*i*) On the 25th October, 1938

(*ii*) It was published on the 20th April, 1939.

(*e*) (*i*) It was a voluminous report and has taken time in preparing it for the Press.

(*ii*) and (*iii*) I have no official information.

Dr. SURESH CHANDRA BANERJEE: মাননীয় মন্ত্রীমহাশয় বোলবেন কি report টা কত বড়? তিনি বোলেছেন যে voluminous. আমরা জানতে চাই ঠিক কত বড়?

The Hon'ble Mr. H. S. SUHRAWARDY: I would refer the honourable member to the report itself which, he will find, is sufficiently large.

Dr. SURESH CHANDRA BANERJEE: এই report টা আমাদের দেওয়া হোয়েছে কি?

The Hon'ble Mr. H. S. SUHRAWARDY: It has been published.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Debt Settlement Boards in Sirajganj subdivision, Pabna.

190. Mr. ABDUR RASCHID MAHMOOD: Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to lay on the table a statement showing—

(*a*) the number of Debt Settlement Boards established in the Sirajganj subdivision, Pabna;

(*b*) the number of unions where such boards have not yet been established;

(*c*) the number of cases disposed of by and pending in each of these boards from their establishment till December, 1938;

(*d*) the number of cases disposed of by and pending in the subdivisional special board since its formation; and

(*e*) the number of appeals with the senior Munsif, Sirajganj, vested with special power either upholding or setting aside the awards by the boards?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) 68 including 1 special board.

(*b*) 8.

(*c*) Disposed of	...	2,694
Pending	...	14,440
(*d*) Disposed of	...	41
Pending	...	120

(*e*) 429 cases were filed, of which 259 cases were disposed of as follows, up to 11th April, 1939:—

Remanded	...	48
Dismissed	..	14
Confirmed	...	86
Modified	...	89
Reserved	...	22

Mr. ABDUR RASCHID MAHMOOD: With reference to answer (*b*), will the Hon'ble Minister be pleased to state the reason why Debt Settlement Boards have not been established in these Unions?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: We are expecting reports from the local officers and when they are received, Government will consider the matter.

Mr. NISHITHA NATH KUNDU: With reference to (*c*), will the Hon'ble Minister be pleased to state the reason why, in spite of his inventing methods for speedy disposal, there has been so small number of disposals?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: These Boards were not established all at once. They were established gradually. Therefore, the total number of disposals must be a bit small.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state the year when the first Debt Settlement Board was established in this area?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I must ask for notice.

Death of a girl due to starvation in Bakarganj.

191. Mr. ATUL KRISHNA GHOSE: (*a*) Is the Hon'ble Minister in charge of the Publicity Department aware—

(*i*) that a girl of 12 years' age named Chaparani, daughter of Sarat Chandra Putitundo, of village Sahajara, post-office Agarpur, district Bakarganj, died on the last 14th *Kartic;*

(*ii*) that the local doctor and the father of the girl have made statements that the said girl died of starvation; but

(*iii*) that the Director of Public Information, Bengal, in his letter No. 72 Pub., of the 10th January, 1939, addressed to the editor of the *Hindusthan Standard* stated that the said girl Chaparani died of "Krimibikar" and that it was the opinion of the local *kaviraj*?

(*b*) If the answer to (*a*) (*iii*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the name of the local *kaviraj* referred to; and

(*ii*) whether the Hon'ble Minister considers it desirable to institute an enquiry into the matter?

MINISTER in charge of PUBLICITY and EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) (*i*) Yes.

(*ii*) No.

(*iii*) Yes.

(*b*) (*i*) Babu Hemanta Sen, *kaviraj*, a neighbour.

(*ii*) No.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state when was the *kaviraj*, referred to in answer (*b*) (*i*), called for treatment of the girl?

The Hon'ble Mr. A. K. FAZLUL HUQ: There are two conflicting reports—one report is, as made by the father of the girl, that the *kaviraj* was called in to see the elder sister of the girl and the other report is that he was called in for the girl herself. Anyhow, the *kaviraj* was called in for a sick member of the family 4 days before the death of the girl.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state who made the actual enquiry on the spot and examined the father and the local *kaviraj*?

The Hon'ble Mr. A. K. FAZLUL HUQ: Enquiries were made by the Sadar Subdivisional Officer in the presence of the mother and other relatives of the girl and some villagers.

Dr. SURESH CHANDRA BANERJEE: মাননীয় মন্ত্রীমহাশয় দয়া কোরে বোলবেন, কি, ডিমিবিকার ডিনিষটা কি?

Mr. SPEAKER: That question does not arise.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether he is sure that the girl was not treated by the local doctor referred to in question (*a*)(*ii*)?

The Hon'ble Mr. A. K. FAZLUL HUQ: Some doctor treated her and I have given the name, namely, Babu Hemanta Sen, *kaviraj*.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state if he is sure that the girl was not seen by the local doctor?

The Hon'ble Mr. A. K. FAZLUL HUQ: For the information of the House, I may give a summary of the report sent by the District Magistrate:—

The "Hindusthan Standard" admitted that Dr. Promathanath Chakravarty, H.M.B., rendered medical aid to the deceased girl, while in the same report they have stated that the doctor made a statement to their correspondent that he was sent for to see the ailing elder sister of the deceased. Anyhow, it seems true that a doctor was called in to attend a girl of the family. One who can afford to call a doctor can certainly give a morsel of food to save the life of a member of the family. If the doctor was kind enough to visit the elder sister of the

deceased and give her free medicine, he could certainly give a little help to save the life of the deceased girl from starvation. From all these, it seems clear that the case has been got up to carry on nefarious propaganda against the Government.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state if he is aware that the District Magistrate may not be aware of the fact that the poorest people of a village may call in a doctor to see a patient even though he cannot pay for a doctor? That happens in villages and in this particular case, is the Hon'ble Minister sure that the doctor was called and paid fee and not that the doctor went there when the girl was on the point of death?

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not believe that the people of this country are so hard-hearted that when they see a small girl dying of starvation, they would not give her a morsel of food. It is true that the girl did not take food for two days before her death. In our experience, we have seen members of our own families not taking food for days together before their death. But I refuse to admit that they have died of starvation.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be able to contradict me if I say that after two days' starvation, a girl may come to the point of death and at that stage, no medical treatment can save her?

Mr. SPEAKER: That is a matter of opinion.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state if he is aware that a starving person may die owing to the effect of starvation even if medical treatment is given?

Mr. SPEAKER: That question does not arise.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state if the so-called *kaviraj*, Babu Hemanta Sen, prescribed any medicine for the poor girl?

The Hon'ble Mr. A. K. FAZLUL HUQ: The report says that the condition of the girl before her death was such that no food could be given her even by means of injection. But so far as the prescription of the *kaviraj* is concerned, I have not got his prescription before me. Still I expect that when he went there to see the girl, he must have prescribed some medicine. But whether the girl was in a position to take the medicine or not, I am not in a position to say.

Babu NARENDRA NARAYAN CHAKRABARTY: মাননীয় মন্ত্রী-মহোদয় স্বীকার কোরবেন, কি না যে মানুষ দীর্ঘ দিন যদি না খেয়ে থাকে তা'হোলে যে কোন সামান্য ব্যারাম তাকে অনায়াসে আক্রমন কোরতে পারে, এ ক্ষেত্রেও সেই রকম ব্যারামেই সে মোরেছে একথা বোরে নেওয়া যেতে পারে কি না?

Mr. SPEAKER: I cannot allow you to argue.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state the qualification of *kaviraj* Hemanta Sen—is he a qualified *kaviraj* or a village quack?

Mr. SPEAKER: What do you mean by qualified *kaviraj*?

Mr. NISHITHA NATH KUNDU: I mean, whether he is registered or not.

Mr. SPEAKER: That does not arise—there are so many unregistered *kavirajes*.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether the Magistrate has reported to the Government that the girl was taking food before she fell ill or she was not taking food?

The Hon'ble Mr. A. K. FAZLUL HUQ: She must have been taking food before she fell ill, but she gradually lost the power of assimilating food as the disease increased. I have already said that the state of her health was such before her death that she could not take any food.

Distribution of money through District Boards for supplementing the pay of teachers in primary schools and muktabs for boys.

192. Mr. JASIMUDDIN AHMED: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state on what basis distribution has been made to District Boards of Rs. 2,34,000 for supplementing the pay of trained and untrained teachers in aided primary schools and *muktabs* for boys for the year 1938 to 1939?

(*b*) Is the Hon'ble Minister aware that Rs. 24,648 and Rs. 66,387 have been sanctioned to 24-Parganas and Bakarganj District Boards respectively?

(*c*) If so, what is the reason for this differential treatment?

(*d*) Will the Hon'ble Minister be also pleased to state the reason for the delay in communicating the sanction so late as 6th December, 1938?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) The allotment of Rs. 2,34,000 was distributed among District Boards strictly in proportion to their requirements for stipendiary grants for trained and untrained teachers working in aided primary schools and *muktabs* for boys according to the sanctioned rates of Rs. 6 per month per trained teacher and Rs. 3 per month per untrained teacher.

(*b*) Yes.

(*c*) The amount payable to each district is proportionate to the number of teachers employed in the schools aided by the District Board.

(*d*) The delay in distributing the grant was due to the fact that the amount of the grant to be allotted for supplementing the pay of teachers could be ascertained only after all other grants for primary education including grants to District School Boards were either distributed or their commitments were known.

Babu NAGENDRA NATH SEN: Will the Hon'ble the Minister be pleased to state the principle upon which the sum of Rs. 2,34,000 was asked to be distributed by the District Boards?

The Hon'ble Mr. A. K. FAZLUL HUQ: I regret, Sir, I cannot add to the reply I have given, but if this question is pressed, I can make an enquiry; and if the question is repeated, I would certainly answer it.

Mr. RASIK LAL BISWAS: প্রধান মন্ত্রীমহাশয় দয়া কোরে বোলবেন কি যে যদিও ছয় টাকা কোরে শিক্ষকদের বৃত্তি ধোরে নেওয়া হয় তাঁরা বছরে ছমাসের বেশী এই বৃত্তিটা পান না, এটা সত্য কি না?

Mr. SPEAKER: That question does not arise.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state if he is aware of the fact that in the village primary schools and maktabs the guardians of the students are not in a position to pay the school fees?

Mr. SPEAKER: That question does not arise.

Mr. SURENDRA NATH BISWAS: Is the Hon'ble Minister aware of the fact that owing to the inability of the guardians of the students of the primary schools and maktabs to pay the school fees, the sum of Rs. 6 per month is quite insufficient for a trained teacher?

Mr. SPEAKER: That is too large a question.

Mr. RASIK LAL BISWAS: আমার প্রশ্নটা হচ্ছে মন্ত্রীমহাশয়ের উত্তরে যে আছে Rs. 6 per month per trained teacher দেওয়া হয়—, কিন্তু এই শিক্ষকেরা বছরে ছ'মাসের বেশী এই allowance পান না এটা সত্য কি না?

Mr. SPEAKER: That also is too large a question. You must ask a specific question.

Adjournment motion.

Maulvi ABU HOSSAIN SARKAR: Mr. Speaker, Sir, I have got your consent to move an adjournment motion. I beg to move that the business of the Assembly——

Mr. SPEAKER: Don't move it until I am satisfied that it is in order. I have only given my consent to bring it to the House.

How do you say that it is a matter of specific and recent occurrence? It has been going on for some time.

Maulvi ABU HOSSAIN SARKAR: Not for some time. I have got reliable information that the death occurred day before yesterday of starvation.

Mr. SPEAKER: You have got the report that the death occurred day before yesterday due to starvation?

Maulvi ABU HOSSAIN SARKAR: Yes.

Mr. SPEAKER: How do you want to make Government responsible for the occurrence?

Maulvi ABU HOSSAIN SARKAR: Government is surely responsible for the deaths. It should have taken sufficient steps to prevent deaths; when this kind of thing is occurring, it takes several months to distribute its agricultural relief and other things.

Mr. SPEAKER: Is that all you have got to say?

Mr. SURENDRA NATH BISWAS: May I say one word?

Mr. SPEAKER: No.

Maulvi ABU HOSSAIN SARKAR: I beg to submit that Government is always responsible for this sort of death. Government should always see that people do not die of starvation, it is its duty.

Mr. SPEAKER: As a matter of fact I got a notice of this adjournment motion before and that is why I immediately asked Government, if possible, to give answers to all short notice questions. Members will remember that even though not strictly arising out of that question I allowed supplementary questions which were not within its scope. My purpose was to find out whether a specific case can be made out by which the normal proceedings of the House may be disturbed, with a view to allowing discussion of a definite matter of public importance. In view of the circumstances that came out of the supplementary questions, I do not think a special case has been made out by Mr. Abu Hossain Sarkar to adjourn the business of the House. I, therefore, hold that the motion is not in order.

GOVERNMENT BILL

The Calcutta Municipal (Amendment) Bill, 1939.

Clause 6.

Mr. SPEAKER: I find that so far as clause 6 is concerned, all the amendments seem to be inconsistent. If there is any amendment which any member would like to say is not inconsistent, I shall very gladly hear him before I rule it out. I hold tentatively that motions Nos. 154 to 185 are all out of order, being inconsistent with the previous decision. I hope you all agree.

Dr. NALINAKSHA SANYAL: May I now submit one thing? We are now examining the clauses of the Bill separately, as you have been pleased to take up the clauses one by one. I pointed out to you at the beginning that unless a comprehensive idea is made of certain consequential changes that are likely to happen later on, it is difficult to come to a decision as you have now pointed out in this case that these motions are inconsistent with the previous decision. For example, with regard to the number, it is quite possible that when we take up the Schedule, there may be some adjustments.

Mr. SPEAKER: I am speaking of principles and not of number.

Dr. NALINAKSHA SANYAL: Here we must examine if the nature of the clauses is such that we might after mature discussion revise our decision; the decision of the House on the Bill as a whole will have to be taken later on.

Mr. SPEAKER: That you cannot. I should be glad if you could do that. I myself think that it would have been better.

Dr. NALINAKSHA SANYAL: Which will be the consequential changes that have got to be examined later on and if the subsequent decision is a major decision then the former——

Mr. SPEAKER: Now the only major decision is about the actual distribution of the number.

Dr. NALINAKSHA SANYAL: Sir, take for instance Dr. Suresh Chandra Banerjee's motion No. 181.

Mr. SPEAKER: I have not come as yet to that.

Dr. NALINAKSHA SANYAL: Sir, that is not out of order.

Mr. SPEAKER: Dr. Banerjee, do you want to delete the clause? There is a separate constituency for Anglo-Indians. That question is finished.

Dr. NALINAKSHA SANYAL: Separate electorate for Anglo-Indians is not finished. So far as Muhammadans are concerned, the principle has been accepted.

Mr. SPEAKER: You will find the words "or Anglo-Indian" there.

Mr. SANTOSH KUMAR BASU: Along with Muhammadans, the Anglo-Indians have come in.

The motion that clause 6 do stand part of the Bill was then put and agreed to.

Clause 7.

Mr. SPEAKER: The same principle is operative in clause 7, unless there is anything which can be said to show that these are not inconsistent. During the last two days, I have seen very carefully every bit of it, and I feel that all these are inconsistent with the previous decision.

Dr. NALINAKSHA SANYAL: Sir, may I submit, with reference to clause 7, there is one anomaly which has got to be cleared up through the motion of Mr. Santosh Kumar Basu, namely, about the European members of the Chamber of Commerce who under the present circumstances will have double voting? They will, as members of the Chamber of Commerce or as members of the Calcutta Trades Association, exercise their right to elect (6 *plus* 4) ten members and again in the General Constituency they come in as general voters. They have thus a plural voting. There is nothing to prevent that. In the Act there was no such thing contemplated. Nowhere is there any provision for plural voting for others.

Mr. SPEAKER: Is that the purport of your amendment, Mr. Basu?

Dr. NALINAKSHA SANYAL: I am taking that comprehensive amendment in order to bring the anomaly to your notice. If this is not the issue, then you rule the other portion out.

Mr. SPEAKER: What portion do you refer to?

Dr. NALINAKSHA SANYAL: This will have to be added to change the whole character of the section whereby the Europeans cease to have plural voting.

Mr. SPEAKER: Would you, Mr. Basu, really tell me what the object of your amendment is? I want to be sure about it.

Mr. SANTOSH KUMAR BASU: This relates, Sir, to a previous amendment tabled by me.

Mr. SPEAKER: I thought so—that this was part of the previous amendment. The previous amendment having been lost, this does not arise. That is how I took it.

Mr. SANTOSH KUMAR BASU: I suggest here that after the figure (1) the following words shall be added "subject to the provisions of section 20, sub-section (2)."

Mr. SPEAKER: Only that portion you refer to.

Dr. NALINAKSHA SANYAL: This is what section 20 (2) says: "Subject to the provisions of any other law on the subject for the time being in force, a company, body corporate, firm, joint family or other

association of individuals, as such shall be qualified as an elector, provided that such company, body corporate, firm, joint family or other association of individuals possess the qualifications prescribed by clauses (*a*), (*aa*), (*b*) or (*c*) of sub-section (*1*)." The members of the Chambers of Commerce are body corporates who exercise their votes as members of the Chambers of Commerce and they have a very plentiful representation. Again, if they are Europeans, they come in under the General Constituency. We have no such representation for the Indian commercial community. The commercial men are getting double representation, first, because they happen to be members of the Chambers of Commerce, and, secondly, because they, as representatives of commercial firms, will be entitled to be enrolled in the General electorate.

Mr. SPEAKER: I am afraid Mr. Basu's amendment has not been very happily worded.

Mr. SANTOSH KUMAR BASU: I think that it bears the interpretation which my learned friend has discovered.

Mr. SPEAKER: It might bear that interpretation but it does not come to that.

Mr. SANTOSH KUMAR BASU: I think that that interpretation is justified.

Mr. SPEAKER: That is a question of later development.

Mr. SANTOSH KUMAR BASU: This is a chapter of later developments so far as this Bill is concerned.

Dr. NALINAKSHA SANYAL: Let us have the opinion of Government on this issue, and we shall not stand in the way if Government insist on giving the Europeans plural voting.

Mr. SPEAKER: My difficulty is that section 20 (*2*) is untouched. It is section 23 that provides the actual representation of persons.

Dr. NALINAKSHA SANYAL: Section 20 (*2*) gives the right. Section 20 relates to the right of companies to be represented by certain persons and, if these persons happen to be Europeans, they at once become entitled to plural voting.

Mr. SPEAKER: Yes, I agree with your point, but I am afraid that it should have come in properly under clause 5. It cannot come in here. This is an amendment to section 24, but the question of single or plural voting comes in under section 20.

Dr. NALINAKSHA SANYAL: No, Sir. Section 24 (*2*) specifically mentions who will be representatives of the company and wherein their names will appear.

Mr. SPEAKER: Yes, but the preparation of the electoral roll is quite a different thing.

Dr. NALINAKSHA SANYAL: That is exactly where my difficulty arises. If those members seek to be enrolled in the General Constituency, then they will get plural voting.

Mr. SPEAKER: I am not concerned with the question whether they will get it or not.

Dr. NALINAKSHA SANYAL: That is why I want to move the amendment.

Mr. SPEAKER: I am afraid you should have moved it in clause 5.

Dr. NALINAKSHA SANYAL: Clause 5 relates to the general right of companies. I submit, Sir, you will on maturer consideration find that a clause which gives a right to the companies to get a vote cannot be denied. The Europeans do not come in there. It is the general right of any company or firm to be enrolled in a voters' list.

Mr. SPEAKER: I quite understand your point. Do you mean to say that you want to limit them in the voters' list?

Dr. NALINAKSHA SANYAL: Quite so, here in section 24.

Mr. SPEAKER: The whole purpose of your amendment is just contradictory, because Mr. Basu wants, "subject to the provision of section 20 (*2*)" and therefore it means that it would be operative.

Dr. NALINAKSHA SANYAL: I want to make it clear.

Mr. SPEAKER: You cannot do it under this amendment.

Dr. NALINAKSHA SANYAL: If you will kindly look up clause 7, as drafted, you will find that notwithstanding anything contained elsewhere in this Act, the electoral roll on which such representatives shall be entitled to be registered shall be the electoral roll of the Muhammadan, Anglo-Indian or General Constituency, as the case may be, for the electoral area in respect of which such company or other

association is entitled to be an elector according as such representative is a Muhammadan, Anglo-Indian or is a person other than a Muhammadan, or Anglo-Indian, as the case may be.

Mr. SANTOSH KUMAR BASU: The position is this. In clause 7, section 24 is sought to be amended by providing that the representative of any company shall have his name entered in a particular constituency according as that representative is a Muhammadan, Anglo-Indian or any other person. If that representative were a Muhammadan, he would have his name registered in a Muhammadan Constituency; if an Anglo-Indian, in an Anglo-Indian Constituency; and if not, in a General Constituency. The amendment which I have tabled means this: All this is to be done subject to the provision of section 20 (*2*), that is to say, in so far as clause 7 will not conflict with the provision of sub-section (*2*) of section 7, clause 7 may have some existence. But in sub-section (*2*) of section 20 it is provided, "subject to the provisions of any other law on the subject for the time being in force, a company, body corporate, firm, joint family or other association of individuals, as such, shall be qualified as an elector, provided that such company, body corporate, etc., possess the qualifications prescribed by clauses (*a*), (*aa*), (*b*) or (*c*) of sub-section (*1*)". That gives a substantive right to these persons contemplated in section 20 (*2*) to be an elector. Once that right is given, he can exercise that right over again under section 24.

Mr. SPEAKER: I take it, Mr. Basu, your main purpose is to add at the end of the Government amendment the words "subject to the provisions of section 20, sub-section (*2*)."

Dr. NALINAKSHA SANYAL: Sir, will you allow a consequential change in the amendment in that case to Mr. Basu's amendment, as it is. You have allowed such changes on the floor of the House, and we hope you will allow this consequential change because this is a very important issue.

Mr. SPEAKER: If it is a very important issue, I cannot accept a short notice amendment. (Laughter.) Mr. Basu, will you move your amendment?

Mr. SANTOSH KUMAR BASU: Sir, I beg to move that in clause 7 (*1*), line 2, the words "subject to the provisions of section 20, sub-section (*2*)" be added before the words "and notwithstanding, etc. .....".

Mr. SPEAKER: May I take it that you retain Bill clause 7 (*1*) as it stands?

Mr. SANTOSH KUMAR BASU: Yes, Sir, with the addition of the words "subject to the provisions of section 20, sub-section (2)."

Mr. SPEAKER: Mr. Basu, will you kindly read the section as it will stand if your amendment is carried?

Mr. SANTOSH KUMAR BASU: Sir, it will read as follows: "Subject to the provisions of section 20 (2) a company, body corporate, firm, joint family, or other association of individuals as such, shall not be registered in its own name in the electoral roll, but if qualified as an elector may obtain the registration of the name of one of its members as its representative on such roll notwithstanding anything contained elsewhere in this Act."

Mr. SPEAKER: In other words, your amendment, I take it, means that so far as section 24 is concerned, in sub-section (2) before the words "a company, etc." the following words are added: "subject to the provisions of section 20 (2)."

Mr. SANTOSH KUMAR BASU: Give me just one second to see. I add these words "subject to the provisions of section 20 (2)" before this clause as drafted in the Bill.

Mr. SPEAKER: And therefore your amendment is that in the third line of clause 7 the following words be added, viz. "subject to the provisions of section 20 (2)" before the words "and notwithstanding anything contained elsewhere....." Is it not redundant?

Mr. SANTOSH KUMAR BASU: I do not think so.

Mr. SPEAKER: If your amendment is carried, the Bill clause will stand thus, viz., to section 24 (2) the following shall be added—"and subject to the provisions of section 20 (2) and notwithstanding anything contained elsewhere, etc." I think, you can now move the amendment.

Mr. SANTOSH KUMAR BASU: I have already moved the amendment, Sir.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, so far as the present law is concerned, we have tried to maintain the state of things as they are in the present Act. The latter part of Mr. Santosh Kumar Basu's amendment No. 187 is obviously dependent on motion No. 132.

Therefore, it falls to the ground, being consequential on that. Therefore, Sir, if we leave that out, the position is this, that ordinarily a person shall be entitled to have his name registered only once on the electoral roll of a constitutency. He may have many qualifications, but he can have his name registered as a voter only once. This proviso introduces an exception that if a person is registered as a representative of a company, body corporate, firm, or joint family, or under sub-section (*2*) of section 20 as manager, etc., he shall not therefore be ineligible in that capacity on the same electoral roll. Therefore, although this gives him some additional qualifications, so far as his vote is concerned, he is a voter only once. Therefore, this is only of academic interest.

Mr. SPEAKER: In any case Mr. Basu, if I were a lawyer like you, I would argue that your amendment, if carried, will mean exactly the opposite of what you desire.

Mr. SANTOSH KUMAR BASU: No, Sir.

Mr. SPEAKER: So far as this Bill is concerned, there are separate Muhammadan and Anglo-Indian Constituencies; and therefore a European who is neither a Muhammadan nor an Anglo-Indian may be admitted in the General Constituency. And if you say "subject to" then he would also be enrolled in the Chamber of Commerce Constituency. But your purpose is not to allow him to be enrolled in the Chamber of Commerce Constituency. Therefore, I say that if your amendment is carried, it would mean exactly the reverse of what you really mean. That is my interpretation.

Mr. SANTOSH KUMAR BASU: May I put forward my interpretation, Sir? Under sub-section (*2*) of section 24, companies, body corporates, etc., are given franchise only once and not twice. Under section 24, they have been given the right to nominate a representative. The question is whether that representative will have two votes—one as a representative of a company and again in his own private capacity as a ratepayer. If I say that subject to the provisions of sub-section (*2*) of section 20 he is a representative of a company, then he cannot have another vote again in his private capacity and *vice versa*.

The motion of Mr. Santosh Kumar Basu that in clause 7, lines 2 to 11, the words "subject to the provisions of section 20, sub-section (*2*)" be added before "and notwithstanding anything contained elsewhere in this Act the electoral roll on which such representative shall be entitled to be registered shall be the electoral roll of the Muhammadan, Anglo-Indian or General Constituency, as the case may be, for the electoral area in respect of which such company or other association is

entitled to be an elector, according as such representative is a Muhammadan, an Anglo-Indian or is a person other than a Muhammadan or Anglo-Indian as the case may be and," was then put and a division taken with the following result:—

AYES—59.

Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Ahmed Khan, Mr. Syed.
Asimuddin Ahmed, Mr.
Banerji, Mr. P.
Banerji, Mr. Satya Priya.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Promhari.
Barman, Babu Shyama Prosad.
Barman, Babu Upendra Nath.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Resik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Babu Narendra Narayan.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Dr. J. M.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Deiui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Mira.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Gupta, Mr. Jogesh Chandra.
Hasan Ali Chowdhury, Mr. Syed.
Jalaluddin Hashemy, Mr. Syed.
Jalan, Mr. I. D.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Krishna Prasad.
Maqbul Hossain, Mr.
Mullick, Srijut Ashutosh.
Nasker, Mr. Hem Chandra.
Pain, Mr. Barada Prosanna.
Pramanik, Mr. Tarinicharan.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sen, Babu Nagendra Nath.
Shamsuddin Ahmed, Mr.
Singha, Babu Khsetra Nath.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.

NOES—109.

Abdul Aziz, Maulana Md.
Abdul Bari, Maulvi.
Abdul Hafiz, Mr. Mia.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Kader, Mr. alias Lal Meah.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rashid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi, Md.
Abidur Reza Choudhury, Khan Bahadur Maulvi.
Abul Hossain Ahmed, Mr.
Abul Quasem, Maulvi.
Afiab Hossain Joarder, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulv.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Ashrafali, Mr. M.
Aulad Hossain Khan, Maulvi.
Birkmyre, Sir Henry, Bart.
Brown, Mr. A. C.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Edbar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Faziul Huq, the Hon'ble Mr. A. K.
Faziul Quadir, Khan Bhadur Maulvi.
Fazlur Rahman (Mymensingh), Mr.
Freuch, Mr. F. N.
Gomes, Mr. S. A.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Choudhury, Maulvi.

Hamidoddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M. B. E.
Hatemally Jamadar, Khan Sahib Maulvi.
Idris Ahmed Mia, Maulvi.
Ispahani, Mr. M. A. H.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kennedy, Mr. I. G.
MacGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Banku Behari.
Mandal, Mr. Jagat Chandra.
Manirudin Akhand, Maulvi.
Marindin, Mr. F. J.
Miles, Mr. C. W.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Sofaiman, Khan Sahib Maulvi.
Mullick the, Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustafa Ali Dewan, Maulvi.
Nandy, the Hon'ble Maharaja Sriechandra, of Cossimbazar.
Nasaruliah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Noeruddin, Mr. K.
Norton, Mr. H. R.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Rees, Mr. J. D.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Sadruddin Ahmed, Haji.
Sarkar, Babu Madhusudan.
Sarker, the Hon'ble Nalini Ranjan.
Sassoon, Mr. R. M.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Shamsuddin Ahmed Khondkar, Mr.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Wordsworth, Mr. W. C.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 59 and the Noes 109, the motion was lost.

Mr. SPEAKER: All other amendments of clause 7 do not arise.

Dr. NALINAKSHA SANYAL: Sir, may I refer to the latter part of the Hon'ble Minister's motion, namely, "that sub-section (*4*) of section 24 be deleted." You will kindly permit me now to draw your attention to clause 7 itself. Clause 7 (*2*) states that sub-section (*4*)——

Mr. SPEAKER: That arises in motion No. 213.

Dr. NALINAKSHA SANYAL: Sir, that motion will not arise.

Mr. SANTOSH KUMAR BASU: Motion No. 213 refers to clause 7 (*2*). I undestand that it has been replaced and put under some other heading.

Dr. NALINAKSHA SANYAL: I submit, Sir, that we have no quarrel about the retention of this portion. Government have thought it fit to take this portion from this section to section 20. Section 20

relates to the qualifications of electors and section 24 to the preparation of the electoral roll. Government advisers thought that the place of sub-section (4) probably would be better under section 20.

Mr. SPEAKER: I think that the contention which has now been raised is this: the original Calcutta Municipal Bill did not give any right to any member of the Chamber of Commerce or the Chamber of Commerce itself for double franchise—one as the Chamber of Commerce itself and another as a person of the Corporation belonging either to the Hindu, the Muhammadan or the Special Constituency. That is the present system. Now, by transferring sub-section (4) from section 24 to section 20, as has been done in clause 5 of the Bill, it is being made possible for a Chamber of Commerce to get double votes—one for the purpose of the Chamber of Commerce and another as Chamber of Commerce, a person or Corporation in the General, the Special or the Muhammadan Constituency. That should not be the intention of the Government according to the Opposition.

Dr. NALINAKSHA SANYAL: If the original place of the sub-clause is retained, there would be no difficulty.

The Hon'ble Mr. A. K. FAZLUL HUQ: Section 24 of the Act relating to the electoral roll defines what Chambers of Commerce are, and what we have done is that we have transferred it to section 20 which relates to the qualifications of electors. That is more or less for convenience that it may be in the proper place, but does it really lead to the position——

Mr. SANTOSH KUMAR BASU: It will lead to double voting.

The Hon'ble Mr. A. K. FAZLUL HUQ: It is not so very clear; if it does, I may say, it is not the intention of the Government.

Mr. SPEAKER: It may be examined later when the matter comes before the other House.

Mr. SANTOSH KUMAR BASU: Let the provision remain where it was in the original Act. We are not asking for its deletion. We are asking that the provision be retained in its original place which is its proper place.

Mr. SPEAKER: Government cannot come to a decision on the floor of the House.

The Hon'ble Mr. A. K. FAZLUL HUQ: We do not want to take away any privilege now enjoyed by the Chambers of Commerce.

Mr. SANTOSH KUMAR BASU: Nor do we. We do not want any right to be taken away—that is the common ground. All that we say is that let the provision remain where it was in the original Act, otherwise confusion might arise.

Mr. SPEAKER: This is a very complicated question.

The Hon'ble Mr. A. K. FAZLUL HUQ: This point may be considered during the recess.

Mr. SPEAKER: All right. I will then put the first part of it.

The motion that clause 7 (*1*) stand part of the Bill was then put and agreed to.

Clause 8.

Mr. SPEAKER: None of the amendments on clause 8 arises.

The motion that clause 8 stand part of the Bill was then put and agreed to.

Clause 9.

Dr. NALINAKSHA SANYAL: Sir, may I have your permission to move motion No. 227.

Mr. SPEAKER: It does not really arise, because it has been omitted by the Select Committee.

Mr. SANTOSH KUMAR BASU: No, Sir. It does arise, I submit.

Mr. SPEAKER: The difficulty is that it makes no sense. Supposing these motions are carried, you leave an incomplete sentence.

Dr. NALINAKSHA SANYAL: No, Sir. It will read like this: "If any difficulty arises as to the preparation or publication of the first

electoral rolls or the holding of the first election after the commencement of the Calcutta Municipal Amendment Act, 1939, the Provincial Government may by order authorise the proper preparation or publication of the rolls or for the proper holding of the elections."

Mr. SPEAKER: Is there any sense in it?

Dr. NALINAKSHA SANYAL: It has. Government does not do anything in this connection, but Government authorises the publication and Government authorises the election.

Mr. SPEAKER: Dr. Sanyal, you are not a lawyer; you are giving much wider powers than that proposed in the Bill. The words are "may by order authorise the proper preparation." It is much wider than "authorising any matter which appears to be necessary." By deleting this you are giving much wider power. I am afraid I cannot allow it.

Dr. NALINAKSHA SANYAL: The words "necessary" and "proper" will remain.

Mr. SPEAKER: It is exactly the same; you are still giving much wider power.

The question that clause 9 stand part of the Bill was then put and agreed to.

Clause 10.

The question that clause 10 stand part of the Bill was then put and agreed to.

Clause 11.

Mr. SPEAKER: The question before the House is clause 11.

Mr. NALINAKSHA SANYAL: May I at this stage submit that you kindly give us at least half an hour's respite to enable us to discuss with the best of spirit certain matters.

Mr. SPEAKER: I am quite prepared to do that.

(At this stage the House was adjourned till 6-45 p.m.)

(After Adjournment.)

Mr. SPEAKER: Mr. Basu, how does the matter stand now?

Mr. SANTOSH KUMAR BASU: I understand that there is a sort of conference going on at the present moment.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: May I suggest, Sir, that another ten minutes' time be allowed to us?

Mr. SYED JALALUDDIN HASHEMY: Sir, it appears that the Hon'ble Nawab Bahadur of Dacca is not yet ready In that case, may I suggest that the House be adjourned to-day?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: It is Mr. Hashemy who is not ready.

(At this stage, the House was adjourned till 7-5 p.m. to allow some more time for the conference of leaders to conclude.)

(After Adjournment.)

Sub-section (2) of clause 7.

Mr. SPEAKER: I understand that the position is that while Government accepts the principle, namely, that a person as representative of the Chamber shall not be a voter qua a member of the Chamber in a general or a Muhammadan or Schedule Caste or Anglo-Indian Constituency, he may, in his personal capacity as a ratepayer, be a voter in any of these constituencies. Government think that the present drafting is such that it is really not open to the criticism which has been made, *i.e.*, the point of view which has been raised by the Opposition that it is within the meaning of the present draft. That is the position of Government, I understand.

Dr. NALINAKSHA SANYAL: May I submit in view of the clear exposition of the position that you have made that you kindly put it to the House and get the decision of the House recorded: that so far as companies are concerned, notwithstanding anything contained anywhere else, a company that is already enjoying a privilege of returning a member in a Special Constituency by virtue of that company being a member of the Chamber, will not exercise as a company another vote either through a European member or any other representative of such company in a General or Anglo-Indian or Muhammadan Constituency.

Mr. SPEAKER: My difficulty is that in spite of what the draftsman may say, it is ultimately the Court that will decide. Therefore I must leave the section as it is.

Dr. NALINAKSHA SANYAL: Let the principle be accepted.

Mr. SPEAKER: Even if the House accepts the principle, it will not be binding on the Court.

Dr. NALINAKSHA SANYAL: Still it may be argued by a lawyer that that is the intention of the House.

The motion that sub-section (2) of clause 7 do stand part of the Bill was put and agreed to.

Clause 11.

Dr. NALINAKSHA SANYAL: Mr. Speaker, Sir, before the amendments to section 11 are taken up, I beg to submit that we took a little time of the House to make an attempt to arrive at some logical and reasonable understanding of the position and I had taken the opportunity of the recess to place before the Hon'ble Minister in charge of the Bill certain anomalies that appeared to me in connection with the allotment of the various seats in the different wards. While sympathising with my submission, the Hon'ble Minister felt that it was not possible at this stage for him to effect any change and, therefore, it has not been possible for me to improve upon the arrangements of the Schedules.

Mr. Khwaja SHAHABUDDIN: Is Dr. Sanyal speaking on any amendment?

Dr. NALINAKSHA SANYAL: I am speaking on the clause. That being the position, it has become my painful duty to draw the attention of the whole House to the anomalies existing. Sir, at this stage, I am not reopening the question of joint electorate *vs.* separate electorate. I am not raising that issue now. I am only appealing to the sense of justice and sense of logic of the members of different groups in examining the distribution or allotment or allocation of the various numbers of seats as between the different wards and the ratepayers of different wards. I will draw your attention to the population of

Calcutta in the first instance. The population of Calcutta in the different wards is distributed as follows: ward No. 1—66,633. (Some noise from the European Benches.) Certain European friends are getting nervous as I am going to read out a long list of population. If the Hon'ble Speaker permits me, I am prepared to do away with the weary task of reading out figures. It is no pleasure to me either. But unfortunately, if I do not read them, they do not find a place in the proceedings. So I am seeking your permission, Sir, to read it out and have your indulgence for doing so.

Mr. ABDUL WAHAB KHAN: It may be taken as read.

Dr. NALINAKSHA SANYAL: If that is the desire of the House, it can do so.

In this table I am giving the population of different communities in the different wards of Calcutta, ward by ward, and I am showing the Caste Hindu population, Scheduled Castes population, Moslem population, European population and Anglo-Indian population. This population figure is based on the census of 1931.

Mr. SPEAKER: I hope you will finish your speech within your allotted time.

Dr. NALINAKSHA SANYAL: I crave your indulgence for extending the time.

Mr. SPEAKER: But, Dr. Sanyal, I have not received any indulgence from you. (Laughter.) You will try to finish within as short a time as possible.

Dr. NALINAKSHA SANYAL: Scheduled Castes in ward No. 1 number 3,202, Europeans 1 and Anglo-Indians 4.

Mr. SPEAKER: Just mention one or two.

Maulvi MUHAMMAD ISRAIL: On a point of order, Sir. How can a thing go in the proceedings if it is not read on the floor of the House?

Mr. SPEAKER: That is for me to decide.

Dr. NALINAKSHA SANYAL: The following table will show the population of the different communities in the different wards of Calcutta as per census 1931:—

Ward and name of ward.	Caste Hindus	Scheduled Castes	Muslims.	Europeans.	Anglo-Indians	Total population.	Number of occupied houses.
I. Shampukur ..	59,522	3,202	3,689	1	4	66,633	9,619
II. Kumartuli .	36,251	1,057	905	2	8	38,294	6,105
III Bartola ..	55,559	3,857	7,330	6	1	67,107	11,305
IV. Sukeas Street ..	40,505	3,576	9,418	30	76	54,101	6,758
V. Jorabagan	36,594	1,799	778	56	3	39,355	4,931
VI Jorasanko .	38,341	2,681	4,861	5	6	46,116	8,566
VII Bara Bazar .	13,274	379	3,299	223	254	18,690	6,464
VIII Cooloolola ..	13,814	3,278	28,232	35	269	48,998	10,154
IX Muchipara	51,683	5,151	21,794	240	629	80,604	10,599
X Bowbazar .	9,160	1,071	6,313	185	2,296	21,075	3,723
XI Puddapukur	29,547	1,786	1,512	196	1,370	35,323	5,243
XII Waterloo Street	3,640	470	816	686	415	6,711	938
XIII Fenwick Bazar	10,203	2,762	13,631	1,670	1,091	30,975	6,419
XIV. Taltolla	12,932	1,799	18,128	557	2,349	38,427	6,292
XV Kalinga	3,157	1,440	5,481	947	1,883	14,052	3,763
XVI Park Street	1,126	380	1,115	2,167	259	5,438	1,281
XVII Bamun Bustee	557	297	612	712	192	2,679	464
XVIII Tangra .	4,740	3,273	3,497	61	61	11,772	2,321
XIX Entally .	20,120	6,275	13,682	291	2,020	44,224	10,255
XX Beniapukur .	8,431	4,279	24,820	394	561	40,587	8,821
XXI Ballygunge .	9,655	4,112	14,418	1,063	144	30,999	4,869
XXII Bhowanipur XXIIA. Kalighat	65,550	5,147	4,446	916	261	79,084	10,120
XXIII Alipore .	20,254	2,119	6,053	740	391	30,020	4,164
XXIV Ekbalpore ..	11,015	5,569	14,584	526	740	32,822	5,762
XXV Watgunge and Hastings	17,791	4,489	8,871	773	66	32,463	4,624
XXVII Bollygunge	32,077	4,301	3,270	170	35	40,730	6,370
XXVIII. Beliaghatta	20,157	5,545	7,317	5	5	33,235	5,927
XXIX. Manicktola ..	21,744	3,407	17,152	19	8	42,399	11,610
XXX Belgachia ..	12,843	1,953	6,717	103	500	22,252	3,958
XXXI. Satpukur ..	12,793	2,499	3,725	92	8	19,194	4,648
XXXII. Cossipur ..	15,736	4,568	6,500	98	5	27,213	5,048

Besides there are 4,542 Sikhs, 3,149 Jains, 2,562 Buddhists, 1,803 Jews, 1,363 Confucians, 1,199 Zoroastrians, 349 Tribals, etc., and total Christians 14,280.

The table as submitted for the consideration of the House which you have been pleased to accept as read will go to show that the different

wards of Calcutta, although administratively taken as different units, are not, so far as population acreage and housing go, in any way balanced.

The population varies from ward to ward, and the area and acreage do also vary. So far as the number of occupied houses go, there also we find a wide divergence, as between 11,000 and upwards in a particular ward and 900 in ward 12 and 464 in ward No. 18. The figures of rates collected also go to show similar divergences. I have examined the distribution of seats in the General Constituencies as well as in the Muhammadan Constituencies on the basis of some total figures based either on population or on rates paid, or on the number of ratepayers who are enrolled in the electoral roll, and I find from none of the various standards that I can conceive of any logical basis for allocation of seats in the different wards can be discovered. For example, Sir, I find that in Kumartuly, ward No. 2, in the General Constituency one seat only is allotted to nearly 2,500 non-Muhammadan voters, and a population of roughly about 37,400. Again for 11,305 houses occupied and an area of 403 acres in ward 3 two seats are allotted. Similarly, we find that in Ballygunge and Tollygunge, ward No. 27, there are more than 3,900 voters at the present moment, and as you all know, that ward is developing day by day, and by the time the election will take place it is quite possible that the number of voters will go up to more than 4,500. The number of houses in that ward has increased from 2,853 in 1924-25 to about 6,700 at the present time, and there are new houses being built almost every day. In that ward, the total rates collected per quarter come to about Rs. 1,96,000 according to the fourth quarter demand of 1938-39, and the number of non-Muhammadan population comes to about 38,000 according to the census of 1931. The acreage there is the biggest in the whole of Calcutta for any ward—it is 1,389—and still that ward will have only one representative from the General Constituency and no other representative, either from the Muhammadan Constituency or Anglo-Indian or any other Constituency at all, whereas in ward No. 15 the number of voters amount to less than 1,100 of non-Muhammadans including Anglo-Indians. It has not been possible for us at this stage to find out exactly what the number of Anglo-Indians would be, but it is common knowledge that that ward is inhabited largely by Anglo-Indians. I have found out from the examination of the Bengal Legislative Assembly Voters' List that the number of Bengal Legislative Assembly voters there come to about 800, so that if you take away that number from 1,100, it leaves 300 to 400 general voters only, and these 400 voters will have the right to elect one representative, whereas nearly 4,000 voters in ward 27 are going to have only one. The position is equally absurd when we come to the population basis, because in ward No. 15 the population is 8,571 only of non-Muhammadans and the

acreage is 179, whereas I have just stated that the acreage in ward 27 is 1,389, and the population exceeds 38,000. Similarly, Sir, I shall take up another instance, viz., ward No. 18—Tangra. The number of non-Muhammadan voters there is only about 360, whereas the population is 8,275, and the number of occupied houses is 2,321. It is interesting to find that here originally Government proposed to allot only one seat, and the new amendment proposed by the Government Whip provides that for 360 voters 2 seats should be allotted, of which one is again going to be reserved for the Scheduled Castes. Those people again in ward No. 18 have another privilege of sending a Muhammadan representative along with ward No. 19. Sir, the position is extremely illogical and unfair. I submit that after the provision for separate electorate was made, after the number of Muhammadan voters and Anglo-Indian voters have been taken away from the total number of electors in a constituency, the remaining number of Hindu or non-Muhammadan and non-Anglo-Indian voters becomes so small that in some places Government have no justification for retaining a seat for that ward as a whole. That being the position, I request the Hon'ble Minister-in-charge as well as the Hon'ble the Chief Minister to be good enough to examine the proposition over again, and if possible, to apply their mind and do justice. I have absolutely no intention of delaying the proceedings of the House, but I feel that probably the House will be benefited and would possibly enhance its own prestige by doing justice where justice is so much wanted.

Similarly, coming to the Muhammadan Constituencies also I can multiply such instances, but I refrain from taking much of your time and shall draw your attention to certain very salient and relevant matters only.

There are friends who are to-day feeling that so far as Muhammadan interests are concerned, if they are safeguarded, if they get justice, they would be satisfied and would not bather themselves with the General Constituencies. For their information I have collected some figures for the distribution of seats in the Muhammadan Constituencies. I find that there are also similar illogical variations. For wards 1, 2, 3, and 5 combined there is only one seat provided for the Muslims. The Muslim population of these wards comes to 12,697. I take it that, so far as the Muslim community is generally concerned, they being comparatively poor ratepayers, their interests have not been adequately reflected in the voters' list. Therefore, the "population" basis for them might be a better guide than the "voter" basis. On the basis of voters the position becomes still more absurd and unintelligible. Even on the population basis, I find that there have been differences, *e.g.*, 17,578 persons getting the right of sending one representative as between wards 4, 6 and 7, while 24,820 persons get as many as three

representatives in ward 20, *i.e.*, they get one representative for every 8,000 people, whereas in wards 4, 6 and 7 they get one representative for a total population of about 18,000.

Sir, I submit that when they are going to make a piece of law, if Government do not base that law on the general weal or on substantial social justice, as I said once before in this House, that law is bound to create feelings of hatred towards Government and towards the legislature—a legislature so devoid of common-sense and logic—that are not doing justice properly. What have the ratepayers of wards 4, 6 and 7 done? Have not they the right to be represented in the same way as those in the Karaya and Park Circus area? Is it simply because the political centre of gravity of Bengal has shifted to-day to Park Circus (Laughter) that they get three representatives at the rate of one representative for every 8,000 persons while the others must suffer?

This is the position, Sir, and I submit that there are similar discrepancies noticeable in other wards also. In Watganj and Hastings I find that there is one representative for 186 Muslim voters only, whereas in wards 4, 6 and 7 I find that 919 Muslim voters will have one representative, *i.e.*, seven times the number of voters in Watganj and Hastings! Where is the justice? Where is the consideration? Have not Government statisticians at their command? Have not the Government sense enough or have not they got proper machinery to find out how many voters are there, what is the population, what are the rates the voters are paying, before they adjust allocation of seats to different wards on a certain basis for representation?

I hope, Sir, that, in any case, the House is not going to finish the consideration of the Bill to-night. That being the position, I would appeal to the Hon'ble the Chief Minister once again and to the Hon'ble Minister in charge to leave aside this particular reallotment for the time being, to have a meeting to-night or to-morrow morning and see if they can improve on this illogical process and come forward with something which is more presentable than what it is to-day. There will be no difficulty if Government have no students of mathematics at their command; there will be many students of mathematics from this side available to help them. If they have not got statisticians at their command, I submit that they can get the necessary help in the matter of statistics from census reports, from corporation taxation lists, from electoral rolls and such other materials that may be readily available.

Sir, with these words, I submit that the discussion of this Bill be postponed for the time being. I can assure Government that we have no intention of going forward beyond to-morrow in the matter of discussion of this Bill if this concession is allowed. (CRIES OF "HEAR! HEAR!" FROM THE EUROPEAN GROUP.)

Mr. SPEAKER: What do Government intend to do? Do Government want to postpone this matter till to-morrow?

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, as regards the kind offer of my friend Dr. Sanyal to help me with statistics, may I remind him that I have been a humble student of mathematics all my life, and I took all my degrees in mathematics. I am not going to the Opposition for a lead for the calculation of figures. (Laughter.)

The position, however, is this: the distribution of seats has been made on a certain calculation which follows the calculations on which former allocations had been made. At this moment it is difficult to disturb the allocation of seats in one ward or in one or two wards without dislocating the allocation in the other wards. More than one interest is involved in each ward, and it is difficult for Government at the present moment to make any change. We are, therefore, very reluctant to announce to the House that, as at present advised, Government cannot make any change in the proposals which they have put forward.

Mr. SPEAKER: I think that the best thing will be to take ward by ward. What I propose to do therefore is this: I will first take ward No. 1 and if there is any amendment to it, it can be formally moved, and then I will take ward No. 2, and so on.

Mr. Khwaja SHAHABUDDIN: May I submit, Sir, that this will be a long-drawn procedure, if the Schedule is taken ward by ward? The whole Schedule is there. Why not put the whole Schedule and then take up the different amendments?

Mr. SPEAKER: Mr. Shahabuddin, do you realise that what I am suggesting is much more expeditious than what you propose?

Now, I shall take up ward No. 1, Shampukur Constituency. There are the following amendments, namely, 260, 247 and 268. So far as amendment No. 268 is concerned, Government have also given notice. I will first take up amendment No. 247.

Dr. NALINAKSHA SANYAL: Sir, there are some omnibus suggestions.

Mr. SPEAKER: But they do not arise. You can very well understand the reason.

I hope that the House will agree, that it is desirable that we come to the third reading of the Bill as early as possible. I do not think it

possible to-day, but I am anxious that the Schedule should be finished to-day. I hope the honourable members will be very brief. After moving the amendments, they may take one or two minutes to give their reasons.

Mr. Basu, will you move amendment No. 247 that stands in your name?

Mr. SANTOSH KUMAR BASU: Yes, Sir. I beg to move that in clause 11, in proposed Schedule III—"A-General Constituencies" against "Shampukur" in line 1, for the word "two" in column 3, the word "three" be substituted.

Sir, my reasons are these: I find when I take the comparative list of voters in the different wards that Shampukur has as many as 3,868 voters on the electoral roll. Compared to the other wards, I think that it will be a reasonable assertion to make that Shampukur ought to have one more seat than what it enjoys to-day. As regards population, I find, Sir, that the total number of the non-Muhammadan population in this ward is 62,894. That being so, two seats are altogether inadequate compared to the number of seats allotted to the other wards. From that point of view, I have moved that Shampukur, ward No. 1, ought to have three instead of two seats which it enjoys at present.

Mr. Khwaja SHAHABUDDIN: Sir, I beg to move that in clause 11, in proposed Schedule III—"A-General Constituencies" against Shampukur, ward No. 1, the word "one" in column 4, be omitted.

Mr. RASIK LAL BISWAS: On a point of order, Sir. সভাপতি মহাশয় মিঃ সাহাবুদ্দিন যে সংশোধনী প্রস্তাব এনেছেন তার ফল এই হোচ্ছে যে ১নং ওয়ার্ডে যে একটি Scheduled Castes দের জন্য seat reserve আছে সেটা কমিয়ে দেবার চেষ্টা করা হোয়েছে। এই বিলের Statement of Objects and Reasons এ এটা পরিষ্কার বলা হোয়েছে,—In order to safeguard the interests of other important minority communities provision has also been made in the Bill for the reservation in the general territorial constituencies of seats for the Scheduled Castes in proportion to their population strength. গবর্ণমেণ্ট Scheduled Castes population এর strength বিচার কোরে ৭টা seat এর ব্যবস্থা কোরেছেন, এবং এটা Objects and Reasons এ পরিষ্কার কোরে বলা হোয়েছে। আজ এখানে গবর্ণমেণ্টের পক্ষ থেকে মিঃ সাহাবুদ্দিন যে প্রস্তাব কোরেছেন তার effect হোচ্ছে এই যে সেই strength থেকে Scheduled Castes seat কমিয়ে দেওয়া হোচ্ছে এবং বিলের Objects and Reasons এর অন্যথা করা হোচ্ছে সেই জন্য আমি এটার প্রতিবাদ কোরছি এবং আপনাকে মিঃ সাহাবুদ্দিনের এই সংশোধনী প্রস্তাব বেআইনী ঘোষণা করতে অনুরোধ করছি।

Mr. SPEAKER: I think, it is not out of order for this reason that the House is fully entitled to delete any word; so it does not arise.

The motion of Mr. Khwaja Shahabuddin that in clause 11, in proposed Schedule III—"A-General Constituencies" against Shampukur ward No. 1, the word "one" in column 4, be omitted, was then put and a division taken with the following result:—

AYES—116.

Abdul Aziz, Maulana Md.
Abdul Bari, Maulvi.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakeem, Mr.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Kader, Mr. alias Lal Mosh.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hosain Ahmed, Mr.
Abul Quasem, Maulvi.
Aftab Hossain Jeardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Ashrafali, Mr. M.
Asiad Hossain Khan, Maulvi.
Birkmyre, Sir Henry, Bart.
Brown, Mr. A. O.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rubi Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Ebdar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Fazlur Rahman (Mymensingh), Mr.
Gomes, Mr. S. A.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hamilton, Mr. K. A.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Banku Behari.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Miles, Mr. C. W.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Solaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Norton, Mr. H. R.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Razaur Rahman Khan, Mr.
Ross, Mr. J. B.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sarkar, Babu Madhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sasoon, Mr. R. M.
Serajul Islam, Mr.
Shahabuddin Mr. Khwaja, C. B.E.
Shamsuddin Ahmed Khondkar, Mr.
Shamsul Huda, Maulana.
Sirdar, Babu Litta Munda.

Smith, Mr. H. Brabant.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed, Chowdhury, Maulvi Haji.
Walker, Mr. W. A. M.
Warren, Mr. P. F. S.
Wordsworth, Mr. W. C.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.

NOES—67.

Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Ahmed Khan, Mr. Syed.
Banerji, Mr. P.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Promhari.
Barman, Babu Shyama Prasad.
Barman, Babu Upendra Nath.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chaudhuri, Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Deiui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Gupta, Mr. Jogesh Chandra.
Hasan Ali Chowdhury, Mr. Syed.
Jalaluddin Hashemy, Mr. Syed.
Jalan, Mr. I. D.
Jonab Ali Majumdar, Maulvi.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Jogendra Nath.
Maqbul Hosain, Mr.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. B.
Mukherji, Dr. H. C.
Mullick, Srijut Ashutosh.
Naskar, Mr. Hem Chandra.
Pramanik, Mr. Tarinicharan.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamakrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Sanyal, Dr. Kalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Shahedali, Mr.
Shamsuddin Ahmed, Mr.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Thakur, Mr. Pramatha Ranjan.

The Ayes being 116 and the Noes 67, the motion was carried.

The motion of Mr. Santosh Kumar Basu that in clause 11, in proposed Schedule III—"A-General Constituencies" against "Shampukur," in line 1, for the word "two" in column 3, the word "three" be substituted was then put and a division taken.

AYES—65.

Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Ahmed Khan, Mr. Syed.
Banerji, Mr. P.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Promhari.
Barma, Mr. Pusapjit.
Barman, Babu Upendra Nath.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.

Chaudhuri, Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Deloi, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Mr.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Gupta, Mr. Jogesh Chandra.
Hasan Ali Chowdhury, Mr. Syed.
Jalaluddin Hashemy, Mr. Syed.
Jalan, Mr. I. D.
Jonab Ali Majumdar, Maulvi.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Amrita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Jogendra Nath.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. S.
Mukherji, Dr. H. C.
Mullick, Srijut Ashutosh.
Nasker, Mr. Hem Chandra.
Paul, Sir Hari Sanker.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kisheri Pati.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Sen, Rai Bahadur Jogesh Chandra.
Shamsuddin Ahmed, Mr.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Thakur, Mr. Promatha Ranjan.

NOES—112.

Abdul Aziz, Maulana Md.
Abdul Bari, Maulvi.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakeem, Mr.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Kader, Mr. alias Lal Meah.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hosain Ahmed, Mr.
Abul Quasem, Maulvi.
Aftab Uddin Joardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Afzaluddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Ashrafali, Mr. M.
Aulad Hossain Khan, Maulvi.
Birkmyre, Sir Henry, Birt.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dash, Babu Debendra Nath.
Edser, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Faziul Huq, the Hon'ble Mr. A. K.
Faziul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Fazlur Rahman (Mymensingh), Mr.
Gomes, Mr. S. A.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hamilton, Mr. K. A.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemaily Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Hendry, Mr. David.
Hirtzel, Mr. H. A. F.
Idris Ahmed Mia, Maulvi.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Sanku Behari.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Miles, Mr. C. W.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Sulaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.

Musharruff Hossain, the Hon'ble Nawab Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Norton, Mr. H. R.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Razaur Rahman Khan, Mr.
Ross, Mr. J. B.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sarkar, Babu Madhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sasseen, Mr. R. M.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Shamsuddin Ahmed Khondkar, Mr.
Shamsul Huda, Maulana.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Warren, Mr. P. F. S.
Wordsworth, Mr. W. C.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 65 and Noes 112, the motion was lost.

Mr. SANTOSH KUMAR BASU: Mr. Speaker, Sir, I beg to move that in clause 11, in proposed Schedule III—"A-General Constituencies" against "Kumartuli, ward No. 2" for the word "one" in column 3 the word "two" be substituted.

I shall not take up the time of the House by making a long speech which is not necessary. I will only place the figures before the House for the purpose of convincing them how iniquitous it will be not to increase the number of seats in this ward. When we deal with those wards where the number of seats is sought to be increased, I shall have my say, but at this moment I shall only point out that in ward No. 2 the total number of non-Muhammadan population is 37,377 and the total number of voters 2,472. When we come to compare these figures with some other wards where an increase in the number of seats is proposed by Mr. Shahabuddin's amendment, we shall find how iniquitous, how unjust, that will be in comparison with this particular ward.

The motion of Mr. Santosh Kumar Basu that in clause 11, in proposed Schedule III—"A-General Constituencies" against "Kumartuli, ward No. 2" for the word "one" in column 3 the word "two" be substituted was then put and a division taken with the following result:—

AYES 63.

Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Ahmed Khan, Mr. Syed.
Banerji, Mr. P.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Promhari.
Barma, Mr. Puspajit.
Barman, Babu Upendra Nath.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Babu Narendra Narayan.
Chaudhuri, Rai Narendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.

Das, Mr. Manmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Gupta, Mr. Jogesh Chandra.
Hasan Ali Chowdhury, Mr. Syed.
Jalaluddin Hashemy, Mr. Syed.
Jalan, Mr. I. D.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nilkunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Jogendra Nath.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. S.
Mukerji, Dr. H. C.
Mullick, Srijut Ashutosh.
Nasker, Mr. Hem Chandra.
Paul, Sir Hari Sanker.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Basanka Sekhar.
Sen, Babu Nagendra Nath.
Sen, Rai Bahadur Jogesh Chandra.
Shamsuddin Ahmed, Mr.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Thakur, Mr. Promatha Ranjan.

NOES—110.

Abdul Aziz, Maulana Md.
Abdul Bari, Maulvi.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakeem, Mr.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Kader, Mr. alias Lal Mean.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahafur Maulvi.
Abul Hosain Ahmed, Mr.
Abul Quasem, Maulvi.
Aftab Hosain Joardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Ashrafali, Mr. M.
Aulad Hossain Khan, Maulvi.
Birkmyre, Sir Henry Birt.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Edgar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Qundir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Fazlur Rahman (Mymensingh), Mr.
Gomes, Mr. S. A.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K. of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hamilton, Mr. A. K.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs. M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. J. R.
Hendry, Mr. David.
Hirtzel, Mr. M. A. F.
Idris Ahmed Mia, Maulvi.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mohitabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Miles, Mr. C. W.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Solaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Putin Behary.
Musharruf Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir.
Nooruddin, Mr. K.

Norton, Mr. H. R.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Razaur Rahman Khan, Mr.
Ross, Mr. J. B.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sarkar, Babu Madhusudhan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sasseen, Mr. R. M.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja.
Shamsuddin Ahmed Khondkar, Mr.
Shamsul Huda, Maulana.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Warren, Mr. P. F. S.
Wordsworth, Mr. W. C.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 63 and the Noes 110, the motion was lost.

Adjournment.

The House was then adjourned till 4-45 p.m. on Tuesday, the 9th May, 1939, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 9th May, 1939, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 11 Hon'ble Ministers and 218 members.

STARRED QUESTIONS

(to which oral answers were given)

Conduct of Subdivisional Officer, North Sadar, Comilla, in connection with some criminal cases.

***424. Mr. RASIK LAL BISWAS:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware—

(*i*) that the Subdivisional Officer, North Sadar, Comilla (now on leave), disposed of some criminal cases sentencing the accused without writing out the judgments; and

(*ii*) that though the term of imprisonment was over there was no judgment written out by the said officer?

(*b*) If the answer to (*a*) is in the affirmative will the Hon'ble Minister be pleased to lay on the table a statement showing—

(*i*) the number of such cases with the names of the parties;

(*ii*) the sentence when awarded; and

(*iii*) the sentence, if any, already undergone by the accused?

(*c*) Is the Hon'ble Minister aware that the District Magistrate of Tippera searched the house of the said Subdivisional Officer at Comilla and found the records of some criminal cases as well as some records of the case from the Union Benches and the records of the Debt Settlement Boards?

(*d*) If the answer to (*c*) is in the affirmative—

(*i*) what was the number of such records; and

(*ii*) what led the District Magistrate of Tippera to search the house of the said officer?

(*e*) Do the Government consider the desirability of instituting a departmental enquiry into the matter?

(*f*) If not; why not?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) (*i*) Yes In two cases.

(*ii*) No. The persons sentenced are still undergoing imprisonment in default of furnishing security.

(*b*) (*i*) (1) Miscellaneous case No. 86 of 1938, Emperor *versus* Ibrahim, Wahedali, Joharali *alias* Jorali, under section 110, Criminal Procedure Code.

(2) Miscellaneous case No. 87 of 1938, under section 110, Criminal Procedure Code, Emperor *versus* Khadu, Gani, Buddha, Shamsaraddi and Pokan.

(*ii*) In case No. 86, orders were passed on the 23rd July, 1938; in default of furnishing surety, Ibrahim, Wahedali and Cheragali were bound down for 2 years, each, and Muksedali and Joharali for one year each. In case No 87 orders were passed on the 19th July, 1938; Khadu and Gani were bound down for 3 years each, and Badsha and Shamsaraddi for one year each. Pokan was discharged.

(*iii*) Since date mentioned in No. (1) Ibrahim (case No. 86) sentence will take effect from the date of expiry of another sentence he is undergoing.

(*c*) The District Magistrate did not search the house of the Subdivisional Officer. He accompanied the Subdivisional Officer, however, when he went at the District Magistrate's suggestion to collect certain papers pending with him at his house.

(*d*) (*i*) Motion against Union Benches ... 7

Appeal from Debt Settlement Boards ... 27

(*ii*) There was no search. The District Magistrate's suggestion referred to in (*c*) was made because a number of papers were pending with the Subdivisional Officer some of which he had not been able to trace.

(*e*) and (*f*) The facts have been reported to Government and no further enquiry is necessary.

Mr. NISHITHA NATH KUNDU: In view of the highhandedness and irregularity of a very high order, will the Hon'ble Minister be pleased to enlighten us as to what steps have been taken against the Subdivisional Officer concerned?

The Hon'ble Khwaja Sir NAZIMUDDIN: The District Magistrate has reported on this, and the facts are that the officer's conduct was due to his nervous breakdown due to hard work; and he has been sent on leave to recuperate.

Mr. DHIRENDRA NATH DATTA: Does the Hon'ble Minister consider that the steps already taken are sufficient in the case concerned?

Mr. SPEAKER: That is a matter of opinion.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state when it was found out that he was suffering from nervous breakdown?

The Hon'ble Khwaja Sir NAZIMUDDIN: Recently.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state the date and also, if he was under medical treatment, who was treating him medically?

The Hon'ble Khwaja Sir NAZIMUDDIN: Nervous breakdown does not mean that the man has been suffering from any serious disease.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state the date on which the nervous breakdown began, whether before or after the search was made?

The Hon'ble Khwaja Sir NAZIMUDDIN: Before that.

Mr. DHIRENDRA NATH DATTA: How long before that?

The Hon'ble Khwaja Sir NAZIMUDDIN: The District Magistrate had advised this officer for some time to go on leave.

Mr. DHIRENDRA NATH DATTA: How long before?

The Hon'ble Khwaja Sir NAZIMUDDIN: I want notice.

Mr. DHIRENDRA NATH DATTA: When did he report for nervous breakdown?

The Hon'ble Khwaja Sir NAZIMUDDIN: The District Magistrate's report was in respect of an enquiry resulting from the question that the honourable member has put in.

Mr. DHIRENDRA NATH DATTA: Was it detected before the search was made?

The Hon'ble Khwaja Sir NAZIMUDDIN: No.

Babu NAGENDRA NATH SEN: With reference to answer (*c*), will the Hon'ble Minister be pleased to state what led the District Magistrate to go to the house of the Subdivisional Officer to search for the files?

The Hon'ble Khwaja Sir NAZIMUDDIN: Very likely he could not get the files from him.

Mr. RASIK LAL BISWAS: With reference to answer (*d*) (*ii*), মন্ত্রীমহাশয় দয়া ক'রে বল্‌বেন্ কি কতগুলি কাগজপত্র S. D. O. র বাড়ী থেকে পাওয়া গেল না?

The Hon'ble Khwaja Sir NAZIMUDDIN: I will refer the hon'ble member to my answer (*d*) (*i*).

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state the period of leave granted to him?

The Hon'ble Khwaja Sir NAZIMUDDIN: I ask for notice.

Abduction and criminal assaults on women in Bengal.

***425. Mr. BIRENDRA KISHORE RAY CHOWDHURY:** (*a*) Will the Hon'ble Minister in charge of the Home (Police) Department be pleased to lay on the table a statement showing for each of the last five years—

(*i*) the number of abductions and criminal assaults on women in Bengal;

(*ii*) the number of these cases that came up before the court;

(*iii*) the number of culprits sentenced by the lower courts; and

(*iv*) the number of acquittals or reduction of sentences on appeal to the High Court?

(*b*) Do the Government contemplate taking any special measures for an effective abatement of the abovementioned offences?

The Hon'ble Khwaja Sir NAZIMUDDIN:

		1934.	1935.	1936.	1937.	1938.
(*a*)(*i*)	..	766	785	805	807	896
(*ii*)	..	468	471	492	509	527
(*iii*)	..	436	449	464	496	384
(*iv*)	..	50	68	55	50	43

(*b*) The Inspector-General of Police, Bengal, and the Commissioner of Police, Calcutta, are fully alive to the serious nature of these offences. The Inspector-General states that both he and the Deputy Inspector-General look into such cases carefully during their inspections, and that special attention is paid to their investigation.

Mr. PROMATHA RANJAN THAKUR: In view of the fact that the number of abductions and criminal assaults is increasing year by year and the number of culprits and of acquittals are decreasing year by year as appears from the statements of the Hon'ble Minister, does he think it necessary to issue orders to all the police officers to deal with these cases more strictly?

Mr. SPEAKER: That is too vague a question.

Babu NAGENDRA NATH SEN: Will the Hon'ble Minister be pleased to state what preventive measures, if any, have been taken with regard to these offences?

The Hon'ble Khwaja Sir NAZIMUDDIN: Apart from police patrol, I do not see what other preventive measures can be taken, just as we try to prevent dacoities by excessive patrolling of the area by the police.

Sj. NARENDRA NATH DAS GUPTA: With reference to (*a*) (*i*) that only 527 cases came up for trial out of 896 cases in 1938, what is the reason that the rest did not come up before the court?

The Hon'ble Khwaja Sir NAZIMUDDIN: Many of these cases are often amicably compromised.

Food contracts for the Mitford Hospital, Dacca.

*428. **Maulvi MD. ABDUL HAKIM VIKRAMPURI:** (*a*) Is the Hon'ble Minister in charge of the Public Health and Medical Department aware that the same man has been getting contracts for supply of rations and diet to the patients in the Dacca Mitford Hospital for the last 25 years?

(*b*) Does the said gentleman give the lowest tender each time?

(*c*) If not—

(*i*) who supplied lowest tender last time; and

(*ii*) why preference was given to the present contractor?

MINISTER in charge of the PUBLIC HEALTH and MEDICAL DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (*a*) The same man has been getting the contract for the last 20 years.

(*b*) Not necessarily.

(*c*) (*i*) and (*ii*) The Associated Engineering Company gave the lowest tender but the conditions specified in the Tender Form were not fulfilled by the said firm. The present contractor, Satyendra Kumar Sen, however, submitted the lowest valid tender and complied with all the conditions laid down in the tender. His samples were complete and were of uniformly good quality. His tender was accordingly accepted by the Board of Governors.

Taccavi embankments in Midnapore.

***427. Mr. NIKUNJA BEHARI MAITI:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to lay on the table a statement showing—

(*i*) the names of Taccavi embankments in the district of Midnapore;

(*ii*) the names of individuals with whom the contract was entered into in respect of each Taccavi embankment of the district;

(*iii*) the terms of contract; and

(*iv*) the income obtained and expenditure incurred on account of each embankment year by year since the contract was made?

(*b*) Is the Hon'ble Minister aware that a notice has been issued that a sum of Rs. 15,95,205 will have to be paid on account of Taccavi embankment charges in course of 15 years?

(*c*) Will the Hon'ble Minister be pleased to state by whom these charges are to be paid?

(*d*) Is the Hon'ble Minister aware that a feeling of discontent exists over the notices that have recently been issued to a number of persons of the district to pay these charges who were neither the contracting persons nor their successors in interest nor have ever paid these charges before?

(*e*) Is it in contemplation of Government to confine these charges to the original contracting individuals or their successors in interest?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Srischandra Nandy, of Cossimbazar): (*a*) (*i*) From part (*b*) of the question, I presume that the hon'ble member has in mind the group of embankments known as the Midnapore Taccavi embankments. The names of the embankments over 30 in number will be found in the Revenue Department Notification No. 381L.R., dated the 11th January, 1917, published in the *Calcutta Gazette* of the 17th January, 1917.

(*ii*) It is not possible to supply the names of the individuals concerned with each embankment as there were no separate contracts. About 2,000 persons were parties to a contract entered into in 1880.

(*iii*) Originally there was a contract for a period of 20 years from 1874-75 to 1893-94, the persons concerned agreeing to make a fixed annual payment to Government during that period. Since 1st April, 1904, action has been taken under the provisions of section 63 of Act II of 1882.

(*iv*) A statement showing the annual receipts and expenditure in respect of the Taccavi embankments as far as available is laid on the table. Separate accounts are not kept for each embankment.

(*b*) Yes.

(*c*) The charges are to be paid by the *zemindars* of the estates benefited by the embankments according to section 63 of Act II of 1882.

(*d*) No representations have been received by me.

(*e*) No. Charges will be levied on persons liable under the law.

Statement referred to in the reply to clause (a)(iv) of starred question No 427 showing the annual receipts and expenditure in respect of the Midnapore Taccavi Embankments.

ANNUAL RECEIPTS.

	Year.	Amount. Rs. a. p.
1	1907-08	47,438 12 1
2	1908-09	51,742 13 2
3	1909-10	48,908 8 1
4	1910-11	47,272 6 11
5	1911-12	49,283 1 6
6	1912-13	48,775 15 3
7	1913-14	48,030 13 8
8	1914-15	48,532 11 7

		Year.	Amount. Rs.	a.	p.
9	.. ..	1915-16	51,692	5	2
10	.. ..	1916-17	48,780	15	9
11	.. ..	1917-18	43,914	8	8
12	.. ..	1918-19	48,638	14	8
13	.. ..	1919-20	55,412	4	9
14	.. ..	1920-21	62,831	2	8
15	.. ..	1921-22	56,477	0	6
16	.. ..	1922-23	59,384	14	7
17	.. ..	1923-24	60,190	7	6
18	.. ..	1924-25	61,762	5	7
19	.. ..	1925-26	60,423	14	8
20	.. ..	1926-27	50,138	6	5
21	.. ..	1927-28	58,870	1	5
22	.. ..	1928-29	57,251	13	6
23	.. ..	1929-30	57,113	1	5
24	.. ..	1930-31	55,449	8	7
25	.. ..	1931-32	56,891	11	2
26	.. ..	1932-33	47,194	9	0
27	.. ..	1933-34	49,836	7	6
28	.. ..	1934-35	53,271	10	9
29	.. ..	1935-36	26,033	3	4
30	.. ..	1936-37	18,239	8	3
31	.. ..	1937-38	16,710	7	9

ANNUAL EXPENDITURE.

Year.	Amount. Rs.
Average annual expenditure of 11 years from 1890-91 ..	49,210
Average annual expenditure of 12 years from 1904-05 to 1915-16	49,290
Average annual expenditure of 13 years from 1918-19 to 1930-31	76,175
1928-29	1,16,226
1929-30	Not available.

Year.	Amount.
	Rs.
1930-31	63,456
1931-32	44,691
1932-33	47,413
1933-34	55,993
1934-35	52,459
1935-36	75,718
1936-37	68,562
1937-38	54,182

Mr. NIKUNJA BEHARI MAITI: With reference to answer (*c*) that the zemindars are liable to pay for the taccavi embankments, will the Hon'ble Minister be pleased to arrange for the withdrawal of the notices served on the tenants?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, as I have already stated, we have not received any complaints from anybody so far. I believe that the charges are realised from all the parties who are benefited, including the tenure-holders.

Mr. NISHITHA NATH KUNDU: Do we understand, Sir——

Mr. SPEAKER: It does not matter what you understand. What is your supplementary question?

Mr. NISHITHA NATH KUNDU: Sir, I was going to develop——

Mr. SPEAKER: No, no, I cannot allow that. You are "developing" too much. Just put your question.

Mr. NISHITHA NATH KUNDU: In view of the fact that the retention of embankments is not for the benefit of tenants, under what principle is Government retaining the embankments in the district of Midnapur?

Mr. SPEAKER: That is too general a question.

Sj. NARENDRA NATH DAS GUPTA: In view of the fact that the zemindars are liable to pay the charges, what reason is there for the tenants to pay them?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I have just now explained the position in reply to the supplementary question put to me by Mr. Maiti.

Mr. NIKUNJA BEHARI MAITI: With reference to the year 1929-30, will the Hon'ble Minister be pleased to furnish the amount at a later date?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, I could not follow the question.

Mr. NIKUNJA BEHARI MAITI: Sir, in the answer it has been stated that the amount for the year 1929-30 is not available. May I request the Hon'ble Minister to furnish the figure at a later date?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, these figures were received from the Collector of the district, and I do not know whether by a further enquiry we will be able to elicit any fresh figures.

Mr. NISHITHA NATH KUNDU: Sir, we have in our district several embankments which have breaches in them. Sir, on account of those breaches, tenants nearabout the embankments are suffering a great deal. So they applied to Government——

Mr. SPEAKER: Those embankments—are they in Dinajpur or near about?

Mr. NISHITHA NATH KUNDU: Without any reference to Dinajpur, I want to know whether there is any special reason or principle behind the retention of embankments in Midnapur. If we know that, we can proceed accordingly.

Mr. SPEAKER: I am afraid that it is too vague a question.

Mr. NISHITHA NATH KUNDU: Therefore, I was asking why in our case embankments should not be repaired. But Government replied that the embankments would not be repaired on principle.

Mr. SPEAKER: I am afraid I cannot allow a discussion.

Babu NAGENDRA NATH SEN: On a point of information, Sir. May we know why there will not be any sitting on Friday next?

Mr. SPEAKER: I personally do not know the reason, but Government propose not to sit on Friday and Saturday next.

Mr. NIKUNJA BEHARI MAITI: May I know, Sir, if the charges leviable on embankments are confined to the original parties only?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I would refer the honourable member to section 63 of Act II of 1882 where the procedure is specifically stated. First of all an estimate has to be prepared, and then the amount apportioned between the benefited parties for a specified period. Then the whole thing is gazetted, and objections are invited. Once the objections are disposed of and Government take up the work in hand, the parties are bound to pay the amounts which are assessed on them.

Mr. NIKUNJA BEHARI MAITI: May I know from the Hon'ble Minister what is the reason for changing the contract which was made in 1874-75 to one mentioned in section 63 of Act II of 1882?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: It is very difficult for me to give the reasons why the old practice was discontinued, but I presume that by the old contract system some persons escaped payment though they were benefited by the maintenance of the embankments.

Mr. NISHITHA NATH KUNDU: In view of the statement just now made by the Hon'ble Minister that tenants are benefited by these embankments, will the Hon'ble Minister be pleased to explain why embankments all over the province do not benefit the tenants?

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: In view of——

Mr. SPEAKER: I don't think there is any embankment in Jessore! (Laughter.)

Mr. ATUL KRISHNA GHOSE: There were, but the present Government are not taking any steps for their maintenance.

Mr. SPEAKER: Whereas others want demolition of the embankments, you want to have them! (Laughter.)

Mr. ATUL KRISHNA GHOSE: In view of your remarks, Sir, I won't put my question.

GOVERNMENT BILLS.

The Bengal Money-lenders Bill, 1939.

Mr. RASIK LAL BISWAS: Sir, may I enquire when the Money-lenders Bill will come up again?

Mr. SPEAKER: I don't know, but I should think immediately after this Bill. As soon as this Bill is over, I think that it will, probably, be desirable if the Hon'ble Minister in charge or the Hon'ble the Chief Minister or anybody on behalf of Government and the leaders of the various groups in this House could meet in my chamber and discuss the method in which we should take up the Money-lenders Bill. There are certain questions which should be clarified in this connection, namely, whether we should take up the definitions first or whether we should take up any other matter dealing with some important clauses of the Bill before we take up the other clauses. These are matters which should be discussed in this chamber, but the method of approach may be discussed in my chamber. I am simply putting forward a suggestion, and in case it is considered feasible, I propose, immediately after this Bill is over, to request the leaders of the various groups to meet in my chamber.

Dr. NALINAKSHA SANYAL: Sir, can we not have the same discussion in this House?

Mr. SPEAKER: Yes, provided you do not take any part in it! (Laughter.) What I feel is that each party should send two or three of its members to discuss these questions in a round-table conference.

Mr. JOGESH CHANDRA GUPTA: Why a round-table conference and not a tea-table conference? (Laughter.)

The Calcutta Municipal (Amendment) Bill, 1939.

Mr. SPEAKER: I shall now take up Ward No. 3. Mr. Basu, will you move your amendment No. 280?

Mr. SANTOSH KUMAR BASU: Yes, Sir.

Sir, I beg to move that in clause 11, in proposed Schedule III, A—General Constituencies, against Bartola, Ward No. 3, in column 3, for the word "two" the word "three" be substituted.

Sir, my reason for suggesting that the number of seats in this ward should be raised by one seat is this. I find, Sir, on a reference to the

number of non-Muhammadans in this ward, that it is 59,416, and that the number of non-Muhammadan voters in this ward is 3,328. This ward has been given two seats only, whereas by virtue of population as well as the number of voters for the last general election it is certainly entitled to more than two seats. I would, therefore, suggest, particularly in view of the short-notice amendment moved by my friend, Mr. Shahabuddin, that if we proceed to allocate seats on that basis, this ward, at any rate, should be given more than two seats—at least three seats. These are the reasons for my bringing forward this amendment.

The motion of Mr. Santosh Kumar Basu that in clause 11, in proposed Schedule III, A—General Constituencies, against Bartola, Ward No. 3, in column 3, for the word "two" the word "three" be substituted, was then put and lost.

Dr. NALINAKSHA SANYAL: Sir, may I submit one thing? The omission of "one" seat in the motion tabled by the Government Whip comes along with the provision of an additional seat somewhere else. It would, therefore, be convenient if these two are taken together so that members can realise what would be the effect if the Scheduled Castes' number is taken away from this ward and placed somewhere else——

Mr. SPEAKER: This is criticism by contrast.

Dr. NALINAKSHA SANYAL: Sir, I submit that Wards Nos. 4, 32, 18 and 19 ought to be taken together. Ward No. 28 is restored to the old position on account of subsequent amendments. So it need not be taken up now.

Mr. SPEAKER: Unless these four items are taken together, these amendments cannot be taken together. I will take up Wards Nos. 4, 18, 19 and 32 together.

Dr. NALINAKSHA SANYAL: My idea is that Government motions may be taken together.

Mr. SPEAKER: I do not think you can suggest that only Government motions can be taken up together unless these amendments are also taken up together.

Mr. JOGESH CHANDRA GUPTA: I think Government amendment in respect of Ward No. 4 may be taken up so that we may know, if it is carried, what would be its effect.

Mr. SPEAKER: I was going to do that.

Mr. RASIK LAL BISWAS: Mr. Speaker, Sir, আমি আমার সংশোধনী প্রস্তাব এখন move ক'রতে পারি কি?

Mr. SPEAKER: I hope, you will be very short as we want to finish it as soon as possible.

Mr. RASIK LAL BISWAS: Sir, I beg to move that in clause 11, in proposed Schedule III, A—General Constituencies, against Sukea Street, Ward No. 4, in column 3 for the word "two" the word "three" be substituted.

সভাপতি মহাশয় ডাঃ নলিনাক্ষ্য সান্যাল different wardএর জনসংখ্যার একটা তালিকা এখানে পোড়ে সকলকে শুনিয়েছেন। সেই তালিকা অনুযায়ী দেখা যায় যে ward 4 এর লোক সংখ্যা ও ভোটার সংখ্যা অন্যান্য অনেক ward এর চেয়ে বেশী আছে। এবং জনসংখ্যার অনুপাতে সেখানে দু'টো থেকে তিনটে আসন করা সমিচীন। নইলে ১৭, ১৬, ১৫ wardএর লোক সংখ্যা যা আছে তাতে representation এর যা ব্যবস্থা হোয়েছে ward 4 এর তুলনায় সেখানে লোক সংখ্যা অনেক কম আছে। সেইজন্য আমরা চাইছি যে representation উচিত মত হওয়ার জন্য ৪ নং ওয়ার্ডে দুটোর জায়গায় তিনটে seat General Constituencyতে বাড়িয়ে দেওয়া হোক্। Scheduled Castesদের জন্য একটা seat এখানে reserved করা হোয়েছিলো এবং সে ব্যবস্থা খুব সমিচীন হোয়েছিলো বোলে আমরা সেটা appreciate কোরেছিলাম। এখানে Scheduled Castesদের সংখ্যা চার হাজারের উপরে আছে। গভর্ণমেন্ট তাঁদের মত পরিবর্ত্তন কোরে Scheduled Castesদের seat যে কমাতে যাচ্ছেন, সেটা গুরুতর অযৌক্তিক এবং অন্যায় হবে। গভর্ণমেন্ট এক সময় Scheduled Castesদের উপর সুবিচার কোরতে চেয়েছিলেন, কিন্তু ক্যাবিনেটের Scheduled Castes মন্ত্রীদের প্ররোচনাতেই হোক বা অন্য যে কারণেই হোক Scheduled Castesদের seat যে কমিয়ে দিচ্ছেন সেজন্য আমরা খুব দুঃখিত, এবং গভর্ণমেন্ট যে অবিচার কোরছেন সেটা না কোরে Scheduled Castes দের পাওনা যে একটা seat এখানে দেবার ব্যবস্থা পূর্ব্বে হোয়েছিলো সেটা যেন বহাল রাখেন।

Mr. Khwaja SHAHABUDDIN: Sir, I beg to move that in clause 11 in proposed Schedule III-A—General Constituencies, against Sukea Street, Ward No. 4, the word "one" in column 4 be omitted.

Dr. NALINAKSHA SANYAL: Sir, I want to oppose this motion. In doing so, I would only place a few facts before the House for its consideration. The original Bill proposed to have two seats in this constituency of which one was to be reserved for the Scheduled Castes. The total population of that ward——

Mr. SPEAKER: Dr. Sanyal, on subsequent consideration, I feel tempted to agree with you that probably it would be better if the Government amendments for exclusion are moved and discussed together.

Dr. NALINAKSHA SANYAL: That is what I suggested. May I also suggest that Government proposals for both exclusion and inclusion may be taken up together?

Mr. SPEAKER: All right. Mr. Shahabuddin, will you please move all amendments in which you propose to exclude certain items and also all other amendments where you want to include certain items? Let them be discussed together. This will put the whole thing in a proper perspective.

Mr. Khwaja SHAHABUDDIN: All right, Sir.

I beg to move that in clause 11, in proposed Schedule III-A—General Constituencies, against Colootola, Ward No. 8, the word "one" in column 4 be omitted.

Sir, I also beg to move that in clause 11, in proposed Schedule III-A —General Constituencies, against Muchipara, Ward No. 9, the word "one" in column 4 be omitted.

Mr. RASIK LAL BISWAS: আমার amendment আমি move কোরেছি এবং এর support এ যা বোলবার বোলেছি। তারপর মিঃ সাহাবুদ্দিন move কোরলেন সেটা oppose কোরে আমি কিছু বোলতে চাই। তা বলা কি সম্ভব হবে?

Mr. SPEAKER: Yes.

Mr. Khwaja SHAHABUDDIN: Sir, I beg to move that in clause 11, in proposed Schedule III-A—General Constituencies, against Tangra, Ward No. 18, for the word "one" in column 3 the word "two" be substituted and the word "one" be added in column 4.

I beg to move that in clause 11, in proposed Schedule III-A General Constituencies, against Entally, Ward No. 19, for the word "one" in column 3, the word "two" be substituted and the word "one" be added in column 4

I beg to move that in clause 11, in proposed Schedule III-A —General Constituencies, against Cossipore, Ward No. 32, for the word "two" in column 3 the word "one" be substituted and the word "one" in column 4 be omitted.

Dr. NALINAKSHA SANYAL: I am thankful to you, Sir, for having permitted me to take a wide view of the whole position after the Government Whip has moved all his amendments. It is common knowledge how on account of a certain amount of pressure by a section of the House, Government agreed to increase the number of general seats to 47 from 46. The Hon'ble the Chief Minister at that time announced that by this glorious increase of one seat, he has ensured

complete majority to the majority community out of a total number of elected seats of 93. The Ministers, or certain Ministers of Government, who were reported in the press to have been very insistent on maintaining Hindu rights, we are informed, felt thoroughly satisfied after this dispensation, and it has been given out that the achievement that they were very much looking for and in the absence of which they even were so very petulant as to offer to resign has been obtained. I submit that the Government or at least the Government Whip through his motions has been able sufficiently to bluff even the Ministers who for the safeguarding of Hindu interests were offered one more seat in the General Constituency.

The Hon'ble Mr. H. S. SUHRAWARDY: Three more; two by nomination.

Dr. NALINAKSHA SANYAL: Those are not General Constituency seats.

The position visualised by Mr. Shahabuddin passed all imagination so far as the distribution is concerned I find that on the basis of the number of voters, Ward No. 4 has got at the present moment 307 Scheduled Castes voters in the Bengal Legislative Assembly Voters' List. At the present moment, as you are all aware, there is no separate electorate or separate listing of Scheduled Castes electors in the Calcutta Corporation. Therefore, it is not possible to get any actual number of voters that would be entitled to vote in this constituency on the basis of the qualification of paying taxes exceeding Rs. 12 per annum which is the qualification now for entitling one to be enrolled as a voter in the Calcutta Corporation Electoral Roll. Even then the number of voters in Ward No. 4 for Scheduled Castes is 307; whereas the Whip of the Government Party purposes to add "one" to Ward No. 18 and another "one" to Ward No. 19 for the Scheduled Castes. So far as the total number of general voters in Ward No. 18 is concerned, the latest available report gives the number of voters for General Non-Muhammadan seats there as 364 that is the maximum number of non-Muhammadan voters including Hindus, Europeans, Anglo-Indians and Scheduled Castes people, whereas in Ward No. 4 the number of Scheduled Castes themselves is 307. It is stated that in Ward No. 18 the number of voters for the Bengal Legislative Assembly is a little more than 360. On the face of it, it looks a bit absurd, but it may be explained if it is argued that there are some very, very poor persons who just because of the very low qualification for enrolment in the Legislative Assembly list have got enrolled in the Assembly voters' list, but they could not get any place in the Calcutta Corporation electorate. Even though we go to the population figure, we find that the total non-Muhammadan population in Ward No. 18 is 8,275, whereas the total non-Muhammadan population in Ward No. 4 is 44,683. That is from the last

census. The total population of the Scheduled Castes according to that census was 3,576 in Ward No. 4 and 3,270 in Ward No. 18, so that neither on the basis of the existing number of voters in the constituencies (Wards Nos. 4 and 18) nor on the basis of population, the total non-Muhammadan population, nor on the basis of the Scheduled Castes population as per the last census, can we find any justification for taking away the Scheduled Castes representation from Ward No. 4 and awarding that to Ward No. 18. Equally glaring is the anomaly when we come to Ward No. 19. In Ward No. 19 the total number of Scheduled Castes voters enrolled in the Bengal Legislative Assembly list is only 270, whereas the total population of the Scheduled Castes in that ward comes up to 6,275 according to the last census.

Mr. ANUKUL CHANDRA DAS: Highest.

Dr. NALINAKSHA SANYAL: That is quite right. I admit it, but what about the number of voters?

The total non-Muhammadan population there is 30,542 as against 44,683 in Ward No. 4 and when we come to Ward No. 32 we find there that the total Scheduled Castes population is 4,568 and the total Scheduled Castes' number on the list of electors in the Bengal Legislative Assembly is 299. Government propose to take away the right of the Schedule Castes members in that ward where to-day nearly 300 people are on the voters' list and want to award that privilege to another ward where the maximum number available even on the basis of the low franchise for the Assembly is 270. On what basis the Government is proposing this distribution passes my comprehension. Is it on the basis of voters' strength or population strength or patronage?

Mr. Khwaja SHAHABUDDIN: Equity and justice.

Dr. NALINAKSHA SANYAL: If it is on the patronage of the Ministry, of course I have nothing to say. I submit that so far as the other wards are concerned, we find similar glaring anomalies. It was originally proposed to take away from Ward No. 28 one seat and allot that seat to some other place of the Government choice. Fortunately the Government found that it was becoming so glaring that the Government party would not be able to swallow this, even though they have been able to swallow so much other injustice,—this would create some amount of indigestion. There the total number of voters in the Bengal Legislative Assembly list is 407, the highest in any ward in the whole of Calcutta and yet because at the present moment a certain gentleman is representing that ward in the Corporation who happens to be in the Opposition, the Government want to penalise him by taking away the

right of that ward from sending a Scheduled Caste representative. In that ward the total number of non-Muhammadan population is 20,157 and the number of Scheduled Castes 5,545.

I submit that the distribution has been all wrong. If the Government have been really serious about giving the Hindu community, the majority community, some benefit, some recognition of the just claims that the majority community have been making, then let that community choose the ward where the additional seat that the Government have been pleased to grant will go. It is common knowledge again how Ward No. 27, Tollygunge Ward, on the number of population, on the amount of rates paid, on the number of houses built, on the number of voters on the rolls, on area, on every possible standard, has got the most rightful claim for an additional seat in that ward. Why then Government deny that ward the right of having this additional seat that the Government have been pleased to grant? The conclusion is very obvious. Government do not want Ward No. 27 to get that additional seat because they are anxious to find out a place where this additional seat, which they are prepared to give, will not go to the Congress. Very nice logic! But we assure them that wherever they can place it, the Congress will continue to give them some anxiety because the public of Calcutta will continue to have confidence in the Congress and in the Congress administration of the Corporation. So far as the question of allocating the additional seat is concerned, I submit for the consideration of the House a concrete suggestion that this additional seat be given to Ward No. 27, and if it is not possible to give it to Ward No. 27, then let Wards Nos. 15 and 16 or 16 and 17 be combined to have one non-Muhammadan representative. There is nothing wrong in principle. Government have already done that in the case of several Muhammadan constituencies, and considering the number of non-Muhammadan voters left now in these wards, after you take away the Muslim and Anglo-Indian voters in these wards, the number of voters left now hardly justifies any representation on an independent ward basis. I submit that there is yet time for good sense to dawn on the Government, if the Government are really caring for good sense even to the least degree.

The question of representation of the Scheduled Castes has been again seriously jeopardized by taking away representation from Ward No. 9. Ward No. 9, Muchipara, has got a Scheduled Caste population of 5,151. The total non-Muhammadan population is 58,810. In Ward No. 9 the total number of Scheduled Castes voters on the list of the Bengal Legislative Assembly is 255 and yet the Government are proposing to take away reservation from Ward No. 9 and to give it to Ward No. 19. I submit, Sir, that the House should not accept the motions of Mr. Shahabuddin—at least the motions relating to Ward No. 4 and Ward No. 18, and if these two are not accepted—, and

instead the motion for adding one more seat to Ward No. 27 is accepted, some little justice may yet be done where justice is probably unknown in the dictionary of the Coalition Party.

Mr. SANTOSH KUMAR BASU: Mr. Speaker, Sir——

Mr. SPEAKER: Mr. Basu, don't you think it would be better if all the amendments are formally moved? Then, for an hour or so the discussion can go on because all these stand together. You cannot discuss Ward No. 18 without probably discussing Ward No. 27. The contrast has to be made. So, I was thinking whether I should ask the members to move their amendments and after some discussion put one after another to vote. That would, I think, be simpler.

Mr. SANTOSH KUMAR BASU: Yes.

Sir, I beg to move that in clause 11, in proposed Schedule III, A—General Constituencies, against "Cooutola", in line 8, for the word "two" in column 3, the word "three" be substituted.

Rai HARENDRA NATH CHAUDHURI: Sir, I beg to move that in clause 11, in proposed Schedule III, A—General Constituencies, against Muchipara, Ward No. 9, in column 3, for the word "two" the word "three" be substituted

Mr. PUSPAJIT BARMA: Sir, I beg to move that in clause 11, in proposed Schedule III, A—General Constituencies, against Puddapukur, in line 11, for the word "one" in column 3, the word "two" be substituted.

Mr. HEM CHANDRA NASKER: Sir, I beg to move that in clause 11, in proposed Schedule III, A—General Constituencies, against Puddupukur, in line 11, the word "one" be added in column 4.

Mr. SANTOSH KUMAR BASU: Sir, I beg to move that in clause 11, in proposed Schedule III, A—General Constituencies, against Fenwick Bazar, Ward No. 13, for the word "one" in column 3, the word "two" be substituted.

Sir, I beg to move that in clause 11, in proposed Schedule III, A—General Constituencies, against Entally, Ward No. 19, for the word "one" in column 3, the word "two" be substituted.

Mr. RASIK LAL BISWAS: Sir, I beg to move that in clause 11, in proposed Schedule III, A—General Constituencies, against Beniapukur, Ward No. 20, in column 3, for the word "one" the word "two" be substituted.

Sir, I beg to move that in clause 11, Schedule III, A—General Constituencies, against Beniapukur, Ward No. 20, the word "one" be added in column 4.

Mr. SANTOSH KUMAR BASU: Sir, I beg to move that in clause 11, in proposed Schedule III, A—General Constituencies, against Ballygunge, Ward No. 21, for the word "one" in column 3, the word "two" be substituted.

Sir, I beg to move that in clause 11, in proposed Schedule III, A—General Constituencies, against Bhowanipur, Ward No. 22, for the word "two" in column 3 the word "three" be substituted.

Sir, I beg to move that in clause 11, in proposed Schedule III, A—General Constituencies, against Alipore, Ward No. 24, for the word "one" in column 3 the word "two" be substituted.

Mr. RASIK LAL BISWAS: Sir, I beg to move that in clause 11, in proposed Schedule III, A—General Constituencies, against Ekbalpur, Ward No. 25, the word "one" be added in column 4.

Mr. SANTOSH KUMAR BASU: Sir, I beg to move that in clause 11, in proposed Schedule III, A—General Constituencies, against Watganj and Hastings, Ward No. 26, in column 3, for the word "one" the word "two" be substituted.

Dr. NALINAKSHA SANYAL: Sir, I beg to move that in clause 11, in proposed Schedule III, A—General Constituencies, against Tollyganj, Ward No. 27, for the word "one" in column 3, the word "two" be substituted.

Sir, this is being supported by members of all groups, including Government supporters.

Mr. SANTOSH KUMAR BASU: Sir, I beg to move that in clause 11 in proposed Schedule III, A—General Constituencies, against Beliaghatta, Ward No. 28, for the word "two" in column 3 the word "three" be substituted.

Rai HARENDRA NATH CHAUDHURI: Sir, I beg to move that in clause 11, in proposed Schedule III, A—General Constituencies against Cossipore, Ward No. 32, for the word "two" in column 3 the word "three" be substituted.

Mr. SPEAKER: Amendment No. 488 has already been moved by Mr. Shahabuddin.

Mr. SANTOSH KUMAR BASU: Mr. Speaker, Sir, Dr. Nalinaksha Sanyal has already dealt with this question in great detail, and I do not desire to take the time of the House at great length. What I want to point out is this that the amendment moved by Mr. Shahabuddin, the transposition and transference of seats from one ward to another, probably represents the result of the disputes and differences which are supposed to have arisen in the Cabinet. Mr. Shahabuddin has been at pains to undertake some amount of jugglery of figures with regard to Scheduled Castes seats. This transposition from one ward to another represents the sum total of confabulations in high quarters with regard to Scheduled Castes representation in the Corporation of Calcutta. The Scheduled Castes in this instance have been made the target, or, shall I say, the play-thing of Ministerial difficulties and commitments, which have been very amicably solved by the ever-obliging section of Scheduled Castes members of this House. The result is that certain proposals have been put forward which, from the point of view of justice, equity or logic, are absolutely without any justification whatsoever. For instance, Sir, it is proposed to take away one seat from Cossipore, a ward which has enjoyed, ever since its amalgamation with Calcutta in 1924, two seats for the purpose of sending its representatives to the Corporation. I do not know whether there is the slightest justification for taking away one seat from Cossipore. Probably Government forgot for the time being that Cossipore was an amalgamated area, that it was a different municipality altogether before the Calcutta Municipal Act came into operation in 1924. When the new Municipal Act was introduced in the Bengal Legislative Council in 1921, Government called frequent conferences with the representatives of the outlying municipalities which were going to be amalgamated with the city of Calcutta, and as a result these allocations of seats were made, and Cossipore, Ward No. 32, was given two seats by a solemn agreement brought about by the Government between Calcutta and the adjoining municipality.

To-day, owing to the exigencies of the situation supposed to have been created by the so-called revolt of the Hindu Ministers we find that Cossipore is to be deprived of one seat which it has been enjoying ever since. That, I submit, Sir, is absolutely without any justification. It simply denies the record of events, it simply denies history.

A similar violence was sought to be perpetrated upon Beliaghata which was going to be deprived of one seat as a result of these confabulations with regard to the Scheduled Castes. Fortunately, Beliaghata which was a part of the old Manicktala Municipality, has its seat restored under the latest dispensation of Mr. Shahabuddin and his party. But Cossipore has been made the target and the brunt of the attack has been taken away from Manicktala and Beliaghata and transferred to the north of Calcutta, viz., Cossipore.

I submit, Sir, all this had to be done by the Government because they were anxious to provide one seat for Ward No. 18 to the Scheduled Castes of that ward. It was for that purpose and that purpose alone that Cossipore had to be deprived of one seat which it has enjoyed ever since 1923. And why this anxiety on the part of Government to allocate a Scheduled Castes seat to Ward No. 18 in preference to Ward No. 32? Because somebody in that area has to be accommodated, belonging to the Scheduled Castes.

That is the only inference which can be drawn from this outrage which is going to be perpetrated upon the rate-payers of Cossipore. I do not know whether by these three nominated seats for the Scheduled Castes they have exhausted all their favourites who had to be provided for in the Corporation with seats by the process of nomination. One more favourite was probably left out of consideration, and a seat had to be created for him and allotted in Ward No. 18,—Ward No. 18 which glories in the total number of 364 voters. This is an outrage upon all sense of justice and fair-play, and the whole of Calcutta will condemn it with one voice. I think, Sir, that legislation is being perpetrated with a view to the accommodation of particular people in some of the wards of the Calcutta Corporation. That is what is being done by our Ministers who call themselves responsible to the people! They have got the cases of A, B, C and D in their minds, and they are allocating seats either by the system of nomination or by creating one or two seats for those favourites. I think this is the main purpose underlying the whole scheme which has been crystallized in the short-notice amendments of Mr. Shahabuddin. That has got to be made perfectly clear. This legislation, which is one long piece of favouritism and injustice, is revealing its true character in all its different aspects, and the distribution of the Scheduled Castes seats, which has been proposed by the short-notice amendments, really forms the climax of this scheme of favouritism and patronage to communities and individuals! I think, Sir, that these words have got to be definitely and publicaly stated on the floor of this House so that everybody might know what is happening behind the scene, what is the reason for this constant transference of seats from one ward to another, and what is the reason for this allocation of nominated seats to the Scheduled Castes people, taking away three seats out of the reserved seats and giving them over to nomination, and what is the reason for adding one more seat in Ward No. 18 at the expense of Ward No. 32 which is an amalgamated area, so far as the Corporation of Calcutta is concerned. All this is definitely unjust, iniquitous, and inspired only by favouritism for individuals. I do not desire, Sir, to mention names, but names will come out in due course. I think, Sir, that our protest must be lodged publicly on the floor of this House.

Mr. RASIK LAL BISWAS: সভাপতি মহাশয়: যে সমস্ত সংশোধনী প্রস্তাব এখানে উত্থাপিত হোয়েছে, তার বিষয় অনেক কিছু বলা হোয়ে গেছে। তা সত্ত্বেও আমার বিশেষ কিছু বক্তব্য

এর ভিতর আছে। অন্য বিষয় বাদ দিলেও Scheduled Castes দের সম্বন্ধে যে চক্রান্ত কোরে তাদের যে স্বার্থ হরণের ব্যবস্থা এখানে হোচ্ছে তার বিরুদ্ধে প্রতিবাদের বাণী না উঠান আমাদের পক্ষে অন্যায় মনে করি। কলিকাতা কর্পরেশনের তপশীলভুক্ত সম্প্রদায়ের জন্য বিশেষ ব্যবস্থার দাবী অবশ্য তপশীলভুক্ত সম্প্রদায় থেকে খুব জোর গলায় উঠে নাই। কিন্তু যেখান থেকেই উঠুক গভর্ণমেন্ট তা স্বিকার কোরে নিয়ে তাদের জন্য কিছু বিশেষ ব্যবস্থা করা প্রয়োজন মনে কোরছেন। তার ফলে কোলকাতা সহরে ১১ লক্ষ লোকের মধ্যে ১ লক্ষ ১৫ হাজার লোক যে তপশীলভুক্ত সম্প্রদায়ের তাদের যে সমস্ত সদস্যের নির্ব্বাচনের ব্যবস্থা আছে তাতে অন্ততঃ পক্ষে ১০টা আসন তাদের পাওয়া উচিত ছিল। কিন্তু গভর্ণমেন্ট সে সংখ্যা কমিয়ে মাত্র ৭ টি আসনের ব্যবস্থা কোরেছিলেন, তবু আমরা তার বিশেষ প্রতিবাদ করি নাই। কিন্তু জানি না গভর্ণমেন্ট কাদের প্ররোচনায় কাদের চক্রান্তে পোড়ে শেষ মুহূর্ত্তে সংশোধনী প্রস্তাব এনে Scheduled Castes সম্প্রদায়ের স্বার্থহানী কোরবার জন্য চেষ্টা কোরছেন। গভর্ণমেন্ট যে নীতি কোলকাতা কর্পরেশনে অবলম্বন কোরছেন সেই নীতি যদি দেশের সর্ব্বত্র প্রচারিত হোতে থাকে,—আমি জানি যে সেই নীতিই তাঁরা দেশের সর্ব্বত্রই চালাচ্ছেন, তাদ্বারা এই গভর্ণমেন্ট অন্যান্য সংখ্যালঘিষ্ঠ সম্প্রদায়ের প্রতি অত্যাচার কোরতে অবিচার কোরতে যেমন বদ্ধপরিকর তপশীলভুক্ত সম্প্রদায়ের প্রতি অন্যায় কোরতেও তারা তেমনী বদ্ধপরিকর হোয়েছেন। গভর্ণমেন্টের এই মনোবৃত্তির, এই নীতির, এই ব্যবস্থার তীব্র প্রতিবাদ আমি তপশীলভুক্ত সম্প্রদায়ের পক্ষ থেকে কোরছি। যেখানে তপশীলভুক্ত সম্প্রদায়ের সংখ্যা অনুযায়ী অন্ততঃ ১০ টা seat এর ব্যবস্থা করা উচিত সেখানে গভর্ণমেন্টের চিফ্ হুইপ্, গভর্ণমেন্টের সিদ্ধান্ত অনুযায়ী যে সংশোধনী প্রস্তাব এনেছেন তাতে সেই সংখ্যা থেকে কমিয়ে মাত্র ৪ টি আসনের ব্যবস্থা কোরে যে কতদূর গুরুতর অন্যায়ের দিকে তাঁরা এগিয়ে যাচ্ছেন সেটা গভর্ণমেন্টের পক্ষে প্রত্যেকে sober moment এ যদি চিন্তা কোরে দেখেন তা'হলে নিজেদের বিবেকের কাছে নিজেরাই বিকৃত না হোয়ে পারবেন না। (অবশ্য যদি তাদের বিবেক ও লজ্জা থাকে)। (A member from the Coalition Party remarked: লজ্জা আপনাদেরই কি আছে?) এখন আমি কয়েকটি বিষয়ে গভর্ণমেন্টের দৃষ্টি আকর্ষণ কোরছি। যদিও আমি জানি গভর্ণমেন্টের দৃষ্টি আকর্ষণ করার কোন মূল্য নাই। কলিকাতা বিভিন্ন ward এর তপশীলভুক্তদের সংখ্যা যে রকম আছে সেদিকে যদি গভর্ণমেন্ট দৃষ্টিপাত কোরতেন তা'হলে যে সংশোধনী প্রস্তাবের ব্যবস্থা গভর্ণমেন্ট কোরেছেন সেটা কোরতেন্ না। আমি জানি যাঁহারা বর্ত্তমানে গভর্ণমেন্ট চালাইতেছেন্ তাঁহাদের বিবেক নাই, সুতরাং তাঁদের কাছে বিবেকের দোহাই বৃথা। তাঁরা বিবেক অনুসারে দেশ শাসন কোরবার জন্য আসেন নাই তাঁরা অন্য স্বার্থসাধনের উদ্দেশ্য নিয়ে দেশ শাসন কোরছেন, তা যদি না হোত তা'হোলে এমনটা ঘোটতো না। একটা বিষয়ে আমি গভর্ণমেন্টের দৃষ্টি আকর্ষণ কোরছি। ১৮ ward এর (ট্যাংরা) সেখানে হিন্দুর সংখ্যা ৪,৭৪০ তার ভিতর অন্ততঃ হিন্দুর সংখ্যা ৩,২৭৫, কিন্তু সুকিয়া ষ্ট্রীটে ৪ নং ward সেখানে অন্ততঃ হিন্দুর সংখ্যা ৪ হাজারের অনেক বেশী। মোট হিন্দুর সংখ্যা ৪০ হাজারেরও উপরে। বেলেঘাটা ২৮ নং ward সেখানে অন্ততঃ হিন্দুর সংখ্যা ৫,৫৪৫, কিন্তু বেলেঘাটা ও সুকিয়া ষ্ট্রীটে কোন আসনের ব্যবস্থা না কোরে সেখান থেকে কেটে নিয়ে ট্যাংরায় যেখানে মুষ্টিমেয় লোক বাস করে, যেখানে শতকরা ২ জনও ভোটার নয় সেইখানে সে আসন নিয়ে transfer করা হোয়েছে। জানি না এ ব্যবস্থার উদ্দেশ্য কি? গভর্ণমেন্ট যে সময় বিল এখানে এনেছিলেন এবং বিলটি Select Committee তে দিয়েছিলেন, সেই সময় তাঁদের বিবেক কোথায় রেখেছিলেন? সে সময় তাঁদের মন্ত্রনাদাতারা কোথায় ছিল? সে সময় এই বিষয়ের উত্থাপন কেন করেন নাই, কিন্তু আজ নূতন কোরে সন্নিবেশিত করা হলো কেন? যে সময় Select Committee তে এ বিষয়ের আলোচনা হোয়েছিল, সেখানে Scheduled Castes এর যিনি প্রতিনিধি ছিলেন, তিনি সেখানে নমিনেশনের জন্য কোন চাপ দেন নাই। সেখানে seat কমাবারও কোন move গভর্ণমেন্ট নেন নাই। কিন্তু আজ শেষ

মুহূর্তে যখন গভর্ণমেণ্ট এই move নিয়েছেন, এখন তাঁদের এই বিধানের তীব্র প্রতিবাদ আমরা কোরছি। আমি জানি গভর্ণমেণ্ট কোন সংখ্যা লঘিষ্টদের প্রতি কোন সুবিচার কখনও করেন নাই। যে policy অবলম্বন কোরেছেন তা কেবল divide and rule এই policy. তাঁরা এক সম্প্রদায়ের মাথা ভেঙ্গে আর এক সম্প্রদায়কে যে পুষ্ট কোরছেন, এসব সদুদ্দেশ্য পূর্ণ নয়। সে কেবল সম্প্রদায়ের মধ্যে গোলমাল লাগিয়ে দিয়ে নিজেদের কার্য্য হাসিল কোরছেন মাত্র। এই divide and rule policy র জন্মদাতা অন্য দেশ থেকে যে সব শাসক এসেছিলেন তাঁরাই এই নীতি চালিয়ে আসছিলেন। সেই নীতি বর্ত্তমান গভর্ণমেণ্ট অনুসরণ কোরছেন। বাংলার বিভিন্ন সম্প্রদায়ের মধ্যে বিচ্ছেদ ও ভেদাভেদ বাড়িয়ে সেটাকে আরও এগিয়ে দিয়ে গভর্ণমেণ্ট দেশের সর্ব্বনাশ কোরছেন। সেই জন্য এই ব্যবস্থায় আমি তীব্র প্রতিবাদ কোরছি।

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, I emphatically deny the statement which has been made by Mr. Santosh Kumar Basu that in allotting seats——

Dr. NALINAKSHA SANYAL: On a point of order, Sir. You had been pleased to state that after the amendments had been moved there would be a general discussion and thereafter you would take them up one by one.

Mr. SPEAKER: Nobody rose in their seats, and so I asked the Nawab Bahadur to reply.

Dr. NALINAKSHA SANYAL: There are so many of us who are anxious to speak; so may I request you to give us some time to discuss our motions?

Mr. SPEAKER: You have spoken already.

Dr. NALINAKSHA SANYAL: But there are others who want to speak, such as Rai Harendra Nath Chaudhuri.

Mr. SPEAKER: Mr. Chaudhuri, do you want to speak?

Rai HARENDRA NATH CHAUDHURI: Yes, Sir, I want to speak a few words.

The amendments that have been moved by the Government Whip do not stand any scrutiny at all. The first amendment that has been moved by Mr. Shahabuddin to transpose the Scheduled Castes seats, relates to Sukea Street Ward—Ward No. 4. This is one of the wards in Calcutta which is most crowded with Scheduled Castes voters, and the Government is proposing to take away the proposed seat for the

Scheduled Castes from that ward. Then, Sir, the other ward which is crowded with Scheduled Castes voters in Manicktolla. Government is providing no seat for the Scheduled Castes voters in that area but offering one to ward No. 19 where they number less. The next ward which is crowded with Scheduled Castes voters is Cossipur. Government is taking away the Scheduled Castes seat from that ward and penalising Cossipur by proposing that the figure in column 3 should be reduced by one, that is, henceforth the Cossipur people will have only one general seat to represent them in the Corporation. While Belgachia with 848 electors will have 2 seats on the Calcutta Corporation, Satpukur with 996 electors will have 2 seats on the Corporation, Cossipur with 1,432 electors will have only one seat. This is an utterly inequitable suggestion that has been made by Government. The eleventh-hour amendments of Mr. Shahabuddin are replete with such unjust and inequitous provisions and they are to be thrust down the throat of the Calcutta Corporation without any rhyme or reason whatsoever.

Mr. PUSPAJIT BARMA: Sir, the distribution of seats in different wards of the Calcutta Corporation strikes me much when I look into Schedule No. III of the Bill. I hear that the distribution of seats has been made according to population strength of the differrent wards. But when I look to the different wards I find that the population strength has been totally neglected. If we consider the allotment of seats in the different wards, we find that in Burrabazar, Ward No. 7, Colootolla, Ward No. 8, Tangra, Ward No. 18, and Satpukur, Ward No. 31, the distribution is unjust. The Burrabazar Ward has been allotted 3 seats, Colootola 2 seats, and Tangra 2 seats according to the short-notice amendments of Mr. Shahabuddin. If we consider the population strength of these wards with that of Ward No. 11, that is, Puddapukur, we find that the people of Puddapukur can legitimately claim 2 seats according to their population strength. But, as a matter of fact, the Puddapukur people have been deprived of one seat; they have been deprived of their legitimate claim of sending 2 representatives to the Calcutta Corporation. So far as Scheduled Castes seats are concerned, we find now, according to the short-notice amendments of Mr Shahabuddin, that there are certainly some motives in the mind of the Government in allotting seats for the Scheduled Castes. There was fairness, equity and justice in the former allotment of seats in the different wards for the Scheduled Castes. But now we find that it has been changed. We find that one seat has been allotted for the Scheduled Castes in Ward No. 18, that is, in Tangra. What does it mean? It necessarily strikes me that there is something wrong in the new allotment of seats for this ward. If we consider the Scheduled Castes population of other wards, then I can very easily say that the Tangra ward cannot get one Schedule Castes seat, because there are other wards

which are more populous and which can legitimately claim seats for the Scheduled Castes people. Now, if we consider the total population of Tangra, what do we find?

The total population of Tangra is about 12,000. Sir, it strikes me most strange how 12,000 people can send two representatives to the Corporation of Calcutta while 50,000 people are sending only two representatives, and in some other wards only 30,000 people are sending one representative only. It is a matter of great regret. I have no grudge against one Scheduled Castes seat in the Tangra Ward; but, in fairness, equity and justice I think Government should consider the claims of the other voters of the different wards of the Calcutta Corporation. With these words I would like that in Ward No. 11 (Puddapukur) the word "one" should be substituted by word "two" in column 3.

Dr. NALINAKSHA SANYAL: I would only have three minutes of your time to say a few words in support of my motions Nos. 378-389 regarding the addition of one more seat to Ward No. 27.

Sir, I have already exhausted my arguments on the basis of population, on the basis of rate-payers, on the basis of the amount of contributions, on the basis of acreage and on the basis of houses built in that area. I would only now conclude by drawing your attention to two things. This motion of mine was given notice of independently by persons belonging practically to every section of the House. There were from the Congress Group Mr. Santosh Kumar Basu, my humble self, Mr. Hem Chandra Naskar, Mr. Upendra Nath Edbar. I find from other sections, even Mr. Birat Chandra Mandal, Mr. Anukul Chandra Das, sponsors of the same kind of motion. There were also our esteemed friend Mr. Jatindra Nath Basu, Mr. Birendra Kishore Roy Chowdhury, Sir Hari Sankar Paul, the ex-Mayor of Calcutta, Rai Bahadur Jogesh Chandra Sen, Maharaja Sashi Kanta Acharya Chowdhury and last but not the least Maharajkumar Uday Chand Mahtab. That shows how very just the claim of that ward is. I would only point out one more thing and finish.

Probably, members do not know that the ward councillors have got very important functions to perform in the administration even of day-to-day matters in a ward. The ward councillors' certificates, not necessarily by virtue of the Act, but by arrangements made in the Corporation, are necessary for every approval of grants, and every expenditure of grants in a ward has got to be endorsed by them as expenditure incurred in a proper manner.

So far as burials and cremations of poor people are concerned, unless one gets a certificate from the ward councillor, he cannot get cremations at concession rates or free cremations. Also, so far as the administration goes, the allotment of even the number of vaccinators in a particular area during particular days of the week and the number of

visits that the sanitary inspector would make to different parts of the ward are determined in consultation with the ward councillor. The ward councillor of Ward No. 27 at the present moment happens to live in another ward and it has been the experience of the residents of that ward that it is extremely difficult for them to run from one part as far as Ballygunge station to the other part as far as the Tollygunge Railway bridge and the crematorium ground in South Calcutta. These people have experienced serious difficulties in the ordinary arrangements of the civic life, because the number of representatives is very small. I only submit this much, because I find that even though we have appealed on the grounds of logic, on ground of figures and facts, how very unchallengeable is the claim of this ward; it has not moved the heart of the Chief Minister or the Hon'ble Minister in charge. I, therefore, submit that in this demand there are probably more members of their own party than members of the Opposition, and on this ground, at any rate, this demand may be met.

Mr. HEM CHANDRA NASKER: The seat allotted for Ward No. 11 is most inadequate. More seats have been allotted to other wards similar to that ward. Scheduled Castes population of that ward have sent a representation to the Government for allotting a Scheduled Castes seat in that ward. I hope the Government will kindly allot a Scheduled Castes seat in that ward according to the desire of the people. The Scheduled Castes seat from Ward No. 18 or 19 may be transferred to this ward.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: The Hon'ble the Chief Minister yesterday explained the position of Government in regard to the allocation of seats as proposed by Government in Schedule III. The only thing that I wish to say is that I emphatically deny the statement made by Mr. Santosh Kumar Basu that the Government have allocated these seats only for their supporters. That is not true. As the Chief Minister has already explained the position, I oppose all the amendments except the amendment of Mr. Shahabuddin.

Mr. SPEAKER: I am now going to put these amendments in the following way. I will put all the amendments moved by the Opposition first and then the amendments moved by Mr. Shahabuddin one after another.

The motion of Mr. Rasik Lal Biswas that in clause 11, in proposed Schedule III, A—General Constituencies, against Sukea Street, Ward No. 4, in column 3 for the word "two" the word "three" be substituted, was then put and lost.

The motion of Mr. Santosh Kumar Basu that in clause 11, in proposed Schedule III, A—General Constituencies, against Colootola, in line 8, for the word "two" in column 3, the word "three" be substituted, was then put and lost.

The motion of Rai Harendra Nath Chaudhuri that in clause 11, in proposed Scheduled III, A—General Constituencies, against Muchipara, Ward No. 9, in column 3 for the word "two" the word "three" be substituted, was then put and lost.

The motion of Mr. Puspajit Barma that in clause 11, in proposed Schedule III, A—General Constituencies, against Puddapukur, in line 14, for the word "one" in column 3 the word "two" be substituted, was then put and lost.

The motion of Mr. Santosh Kumar Basu that in clause 11, in proposed Schedule III, A—General Constituencies, against Fenwick Bazar, Ward No. 13, for the word "one" in column 3, the word "two" be substituted, was then put and lost.

The motion of Mr. Rasik Lal Biswas that in clause 11, in proposed Schedule III, A—General Constituencies, against Beniapukur, Ward No. 20, in column 3 for the word "one" the word "two" be substituted, was then put and lost.

The motion of Mr. Santosh Kumar Basu that in clause 11, in proposed Schedule III, A—General Constituencies, against Ballygunge, Ward No. 21, for the word "one" in column 3, the word "two" be substituted, was then put and lost.

The motion of Mr. Santosh Kumar Basu that in clause 11, in proposed Schedule III, A—General Constituencies, against Bhowanipur, Ward No. 22, for the word "two" in column 3 the word "three' be substituted, was then put and lost.

The motion of Mr. Santosh Kumar Basu that in clause 11, in proposed Schedule III, A—General Constituencies, against Alipore, Ward No. 24, for the word "one" in column 3 the word "two" be substituted, was then put and lost.

The motion of Mr. Santosh Kumar Basu that in clause 11, in proposed Schedule III, A—General Constituencies, against Watganj and Hastings, Ward No. 26, in column 3, for the word "one" the word "two" be substituted, was then put and lost.

The motion of Dr. Nalinaksha Sanyal that in clause 11, in proposed Schedule III, A—General Constituencies, against Tollyganj, Ward

No. 27, for the word "one" in column 8 the word "two" be substituted, was then put and a division taken with the following result:—

AYES—69.

Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Khan, Mr. Syed.
Banerji, Mr. P.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Prembari.
Barma, Mr. Puspajit.
Barman, Babu Shyama Prasad.
Barman, Babu Upendra Nath.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chattopadhyaya, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Dr. J. M.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Delui, Mr. Harendra Nath.
Dutta Gupta, Miss Mira.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. Jogesh Chandra.
Hasanali Chowdhury, Mr. Syed.
Jalaluddin Hashemy, Mr. Syed.
Jalan, Mr. I. D.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Mookerjee, Dr. Syamaprasad.
Mukherjee, Mr. B.
Mukherji, Dr. H. C.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Naskar, Mr. Hem Chandra.
Pain, Mr. Barada Prosanna.
Pramanik, Mr. Tarinicharan.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Shamsuddin Ahmed, Mr.
Singha, Babu Kshetra Nath.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Thakur, Mr. Pramatha Ranjan.

NOES—118.

Abdul Aziz, Maulana Md.
Abdul Bari, Maulvi.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakeem, Mr.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Kader, Mr. alias Lal Meah.
Abdul Karim, Mr.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdulla-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rashid Mahmood, Mr.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Shahood, Maulvi Md.
Abidur Reza Choudhury, Khan Bahadur Maulvi.
Abul Hossain Ahmed, Mr.
Abul Quasem, Maulvi.
Aftab Hossain Joardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Alfazuddin Ahmed, Khan Bahdur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Ashrafali, Mr. M.
Aulad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Bell-Hart, Miss P. B.
Birkmyre, Sir Henry, Bart.
Blomeostock, Mr. L. M.
Brown, Mr. A. G.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath
Ebder, Mr. Upendranath.

Farhad Raza Chowdhury, Mr. M.
Faziul Huq, the Hon'ble Mr. A. K.
Faziul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Fazlur Rahman (Mymensingh), Mr.
French, Mr. F. H.
Gomes, Mr. S. A.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M. B. E.
Hatemally Jemadar, Khan Sahib Maulvi.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
McGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Banku Behari.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Miles, Mr. C. W.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Sulaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawai Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarulla, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Norton, Mr. H. R.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Razaur Rahman Khan, Mr.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Ross, Mr. J. B.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sarkar, Babu Madhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sassoon, Mr. R. M.
Shahabuddin, Mr. Khwaja, C. B. E.
Shamsuddin Ahmed Khondkar, Mr.
Shamsul Huda, Maulana.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Steven, Mr. J. W. R.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 69 and the Noes 118 the motion was lost.

The motion of Santosh Kumar Basu that in clause 11 in proposed Schedule III, A—General Constituencies, against Beliaghatta, Ward No. 28, for the word "two" in column 3 the word "three" be substituted was then put and lost.

The motion of Rai Harendra Nath Chaudhuri that in clause 11, in proposed Schedule III, A—General Constituencies, against Cossipore, Ward No. 32, for the word "two" in column 3 the word "three" be substituted was then put and lost.

The motion of Mr. Rasik Lal Biswas that in clause 11, in proposed Schedule III, A—General Constituencies, against Beniapukur, Ward No. 20, the word "one" be added in column 4 was then put and lost.

The motion of Mr. Rasik Lal Biswas that in clause 11, in proposed Schedule III, A—General Constituencies, against Ekbalpur, Ward No. 25, the word "one" be added in column 4 was then put and lost.

The motion of Mr. Hem Chandra Nasker that in clause 11, in proposed Schedule III, A—General Constituencies, against "Puddapukur" in line 11, the word "one" be added in column 4 was then put and lost.

Mr. SPEAKER: Mr. Gupta, so far as Mr. Shahabuddin's amendment is concerned, I suggest it to be divided into two parts—one subtraction and one addition. It is unnecessary to call for a division every time.

(At this stage Mr. K. Shahabuddin and Mr. Jogesh Chandra Gupta had a compromise talk between themselves.)

Mr. Khwaja SHAHABUDDIN: Sir, I do not think there is any further chance of a compromise.

Mr. SPEAKER: I am not saying whether there is any chance of a compromise. What I propose is to put 18, 19 and 32 together of Mr. Shahabuddin's motion. I think that is the best way.

Dr. NALINAKSHA SANYAL: We do not want to put them together, Sir.

Rai HARENDRA NATH CHAUDHURI: They raise different issues altogether.

Mr. SPEAKER: For the purpose of a division, I think they can be put together.

Mr. SANTOSH KUMAR BASU: Sir, we want to have opportunities of having our opinion recorded separately.

Mr. SPEAKER: If it is your intention to call frequent divisions, I will have to consider whether I should exercise the power I have got. After all, the time of the House is very important.

Mr. SANTOSH KUMAR BASU: Sir, we think we have been extremely accommodating to you to bring the debate to a close within a reasonable time. I hope you will not take up such an attitude which we have been avoiding so long.

Mr. SPEAKER: So far as these votes are concerned, they will show that you have not merely recorded your votes against one ward but against the three wards separately. Will that be sufficient?

The motion of Mr. Khwaja Shahabuddin that in clause 11, in proposed Schedule III-A—General Constituencies, against Sukea Street, Ward No. 4, the word "one" in column 4 be omitted, was then put and a division claimed.

(When the members assembled after the division bell had rung, Mr. Speaker spoke as follows.)

Mr. SPEAKER: It is now time for adjournment, and I wish that honourable members will please record their votes and re-assemble at 6-50 p.m., when I shall announce the result of the division.

(The division was then taken and the House was adjourned for 15 minutes.)

(After adjournment.)

Mr. SPEAKER: The House has divided.

AYES—115.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakeem, Mr.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Kader, Mr. alias Lal Meah.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hossain Ahmed, Mr.
Abul Quasem, Maulvi.
Aftab Hosain Joardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Ashrafali, Mr. M.
Aulad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Bell-Hart Miss P. B.
Birkmyre, Sir Henry, Bart.
Blomeostock, Mr. L. M.
Brown, Mr. A. C.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Edbar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Fazlur Rahman (Mymensingh), Mr.
French, Mr. F. H.
Gomes, Mr. S. A.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs, M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kennedy, Mr. I. G.
McGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Miles, Mr. C. W.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.

Mezammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Soleiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Norton, Mr. H. R.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Razaur Rahman Khan, Mr.
Ross, Mr. J. B.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Padiram.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sarkar, Babu Madhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sassoon, Mr. R. M.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Shamsuddin Ahmed Khondkar, Mr.
Shamsul Huda, Maulana.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Steven, Mr. J. W. R.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.

NOES– 63.

Abu Hossain Sarkar, Maulvi.
Ahmed Khan, Mr. Syed.
Banerji, Mr. P.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Premhari.
Barman, Babu Shyama Prosad.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Dr. J. M.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. Jogesh Chandra.
Jalan, Mr. I. D.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Maniruzzaman Islamabadi, Maulana Md.
Mookerjee, Dr. Syamaprasad.
Mukherjee, Mr. B.
Mukherji, Dr. H. C.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasker, Mr. Hem Chandra.
Nausher Ali, Mr. Syed.
Pain, Mr. Barada Prosanna.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Shahedali, Mr.
Shamsuddin Ahmed, Mr.
Singha, Babu Kshetra Nath.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Thakur, Mr. Prematha Ranjan.

The Ayes being 115 and the Noes 63, the motion was carried.

The motion of Mr. Khwaja Shahabuddin that in clause 11, in proposed Schedule III-A—General Constituencies, against Colootola, Ward No. 8, the word "one" in column 4, be omitted, was then put and agreed to.

The motion of Mr. Khwaja Shahabuddin that in clause 11, in proposed Schedule III-A—General Constituencies, against Muchipara, Ward No. 9, the word "one" in column 4 be omitted, was then put and agreed to.

The motion of Mr. Khwaja Shahabuddin that in clause 11, in proposed Schedule III-A—General Constituencies, against Entally, Ward No. 19, for the word "one" in column 3, the word "two" be substituted, and the word "one" be added in column 4, was then put and agreed to.

The motion of Mr. Khwaja Shahabuddin that in clause 11, in proposed Schedule III-A—General Constituencies, against Tangra, Ward No. 18, for the word "one" in column 3 the word "two" be substituted, and the word "one" be added in column 4, was then put and a division claimed.

(When the division bell was ringing Mr. Speaker spoke as follows.)

Mr. SPEAKER: I hope honourable members will record their votes quickly, because the bell will not ring for so much time as it usually does.

(After the closing of the division:)

Mr. SPEKAER: The House has divided with the following result:—

AYES—108.

Abdul Bari, Maulvi.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdur Rahman, Khan Bahadur, A. F. M.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hosain Ahmed, Mr.
Abul Quasem, Maulvi.
Aftab Hosain Jeardar, Maulvi.
Ahmed Ali Emayetpuri, Khan Bahadur Maulana.
Ahmed Hossain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Ashrafzi, Mr. M.
Asiad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Birkmyre, Sir Henry, Bart.
Blomenstock, Mr. L. M.
Brown, Mr. A. O.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Dass, Babu Debendra Nath.
Edbar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Faziul Huq, the Hon'ble Mr. A. K.
Faziul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Fazlur Rahman (Mymensingh), Mr.
French, Mr. F. H.
Gomes, Mr. S. A.
Gurung, Mr. Damber Singh.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hamilton, Mr. K. A.
Hasanuzzaman, Maulvi Md.
Hesbem Ali Khan, Khan Bahadur Maulvi.
Hosina Murshed, Mrs. M. B. E.
Hatemaily Jamadar, Khan Sahib Maulvi.
Hoendry, Mr. David.
Hirtzel, Mr. M. A. F.
Idris Ahmed Mia, Maulvi.

Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
McGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Miles, Mr. C. W.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Solaiman, Khan Sahib Maulvi.
MuNick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Norton, Mr. H. R.
Rahman, Khan Bahadur, A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Razaur Rahman Khan, Mr.
Ross, Mr. J. B.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sarkar, Babu Madhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan?
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C. B. E.
Shamsuddin Ahmed Khondkar, Mr.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabent.
Steven, Mr. J. W. R.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Zahur Ahmed Choudhury, Maulvi.

NOES—58.

Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Khan, Mr. Syed.
Banerji, Mr. P.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Premhari.
Barman, Babu Upendra Nath.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Dr. J. M.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Deiwi, Mr. Harendra.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. Jogesh Chandra.
Jalan, Mr. I. D.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishita Nath.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Jogendra Nath.
Mookerjee, Dr. Syamaprasad.
Mukherjee, Mr. B.
Mukherji, Dr. H. C.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Naskar, Mr. Hem Chandra.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamakrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kisori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Sen, Rai Bahadur Jogesh Chandra.
Sinha, Srijut Maniudra Bhusan.
Sur, Mr. Harendra Kumar.

The Ayes being 108 and the Noes 58, the motion was carried.

The motions of Mr. K. Shahabuddin that in clause 11, in proposed Schedule III-A—General Constituencies, against Cossipur, Ward

No. 32, for the word "two," in column 3, the word "one" be substituted and the word "one" in column 4 be omitted, were then put and a division taken with the following result:—

AYES—116.

Abdul Bari, Maulvi.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hosain Ahmed Mr.
Abul Quasem, Maulvi.
Aftab Hosain Joardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Hosain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Ashrafali, Mr. M.
Aulad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Birkmyre, Sir Henry, Bart.
Blomenstock, Mr. L. M.
Brown, Mr. A. O.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Edbar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Fazlur Rahman (Mymensingh), Mr.
French, Mr. F. H.
Gomes, Mr. S. A.
Gurung, Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hamilton, Mr. K. A.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hendry, Mr. David.
Hirtzel, Mr. M. A. F.
Idris Ahmed Mia, Maulvi.
Jazimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
McGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Banku Behari.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Miles, Mr. C. W.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Sulaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab Khan Bahadur.
Mustagawal Haque, Mr. Syed.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Norton, Mr. H. R.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Ross, Mr. J. B.
Roy, the Hon'ble Sir Bejoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Samiruddin Ahmed, Haji.
Sarkar, Babu Madhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sasseen, Mr. R. M.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Shamsuddin Ahmed Khondkar, Mr.
Shamsul Huda, Maulana.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker Mr W. A. M.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.

NOES—55.

Banerji, Mr. P.
Banerji, Mr. Satya Priya.
Banerjee Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Promhari.
Barman, Babu Shyama Prasad.
Basu, Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chattopadhyay, Mr. Haripada.
Choudhury Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das, Mr. Manmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Ghose, Mr. Atul Krishna.
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. Jogesh Chandra.
Hasan Ali Chowdhury, Mr. Syed.
Jalan, Mr. I. D.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Jogendra Nath.
Mookerjee, Dr. Syamaprasad.
Mukherjee, Mr. B.
Mukherji, Dr. H. C.
Mukherji, Dr. Sarat Chandra.
Mullick, Srijut Ashutosh.
Naskar, Mr. Hem Chandra.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Sen, Rai Bahadur Jogesh Chandra.
Shamsuddin Ahmed, Mr. M.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.

The Ayes being 116 and the Noes 55, the motions were carried.

Mr. SPEAKER: I might just say, in order that the position might be understood clearly, that as a result of all these amendments the Schedule stands as it is except that in Ward No. 18 in column 3 the number of members has been increased to two, in Ward No. 19 the number of members in column 3 has been increased to two, in Ward No. 32 in column 3 the number of members has been decreased to one and in column 4 the word "one" has been deleted. In Ward No. 1 in column 4 the word "one" has been deleted. In Ward No. 4 in column 4 the word "one" has been deleted. In Ward No. 8 in column 4 the word "one" has been deleted. Also in Ward No. 9 in column 4 the word "one" has been deleted. The word "one" in column 4 of Wards Nos. 3, 18, 19 and 28 stands.

Rai HARENDRA NATH CHAUDHURI: I beg to move that in clause 11, in proposed Schedule III, B—Muhammadan Constituencies, against Collootola, Ward No. 8, for the word "two" in column 3, the word "one" be substituted.

I beg also to move that in clause 11, in proposed Schedule III, B—Muhammadan Constituencies, against Muchipara, Ward No. 9, for the word "two" in column 3, the word "one" be substituted.

I beg further to move that in clause 11, in proposed Schedule III, B—Muhammadan Constituencies, against Beniapukur, Ward No. 20, for the word "three" in column 3, the word "two" be substituted.

I beg again to move that in clause 11, in proposed Schedule III, B—Muhammadan Constituencies, against Beliaghata, Maniktola, Wards Nos. 28, 29, for the word "two" in column 3, the word "one" be substituted.

The net result of the amendments that I am moving will no doubt be the reduction in the total number of Muslim seats by four. In the first place I think that there is no justification for increasing the total number of Muslim seats by four. On the population basis they are entitled to get 18 seats and they should not get more. Not only that; consider for a moment the population of the wards for which these extra seats have been proposed. First of all let us take the Colootola Ward. It has been proposed that that ward should have two seats. I propose that the number of seats should be reduced by one, because of the fact that in that ward the number of Muslim voters, I mean electors, cannot exceed 1,000. There are few or no wards in the General Constituencies where there are only 803 electors and yet they have got more than one seat. The same argument holds good for Muchipara (Ward No. 9) and a similar argument also holds good for Ward No. 20 as well as for Wards Nos. 28 and 29. Not only that, Sir, I find also no justification why Ward No. 20 in particular should have as many as three seats, because in Beniapukur there are only 689 or say 700 electors. Now, if Colootola could in the Government's opinion deserve two seats and Taltala only one seat, I cannot understand why Beniapukur must have three seats. A similar argument also holds good for Beliaghata-*cum*-Maniktala. Two seats have been provided for them. Now, if Ballygunge can be satisfied with only one seat, certainly there is no justification for giving two seats to Beliaghata-Maniktala. There is another argument which I would advance in support of my proposition that the proposed Muslim seats should be reduced by four, viz., that the provision of special constituencies also requires that there should be proportionate reduction in Muslim seats.

Mr. DHIRENDRA NATH DATTA: I beg to move that in clause 11, in the proposed Schedule III, B—Muhammadan Constituencies, lines 1 to 4, the words, figures and bracket—

"Shampukur	..	Ward No. 1	..
Kumartuli	..	Ward No. 2	..
Bartala	..	Ward No. 3	..
Jorabagan	..	Ward No. 5	..

} One"

be omitted.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I oppose all the amendments.

The motion of Mr. Dhirendra Nath Datta that in clause 11, in the proposed Schedule III, B—Muhammadan Constituencies, lines 1 to 4, the words, figures and bracket—

"Shampukur	.. Ward No. 1 ..	)	
Kumartuli	.. Ward No. 2 ..		} One"
Bartala	.. Ward No. 3 ..		
Jorabagan	Ward No. 5 ..	)	

be omitted was then put and lost.

Mr. SPEAKER: Mr. Rai Chaudhuri, your motions really aim at a deduction of one seat on the same principle in Wards Nos. 8, 9, 20 and 29. They can, I think, be all put together to vote.

Rai HARENDRA NATH CHAUDHURI: I am entirely in the hands of Mr. Gupta, our Chief Whip. If he accepts it, I have nothing to say.

Dr. NALINAKSHA SANYAL: I have objection, Sir. The difficulty is this: there are members who may not like to vote for the deduction of one seat in Ward No. 8.

Mr. SPEAKER: Is it proposed to call division on each of them?

Dr. NALINAKSHA SANYAL: Yes, Sir. We do not want to annoy you unnecessarily, but we are also in difficulty.

Mr. SPEAKER: My difficulty is this. I do appreciate the way in which the Opposition has been carrying on and I feel I must say that the Opposition has been very helpful throughout the proceedings of the Calcutta Municipal Bill. But unfortunately I was given definitely to understand that this would be finished to-day. That is my difficulty.

Dr. NALINAKSHA SANYAL: We do not feel that it would be possible to finish the third reading of the Bill in half an hour.

Mr. SPEAKER: No, not half an hour, more than that. That question will arise after this is finished. Is there any objection to all the amendments being put together to vote?

Mr. KIRAN SANKAR ROY: We want voting on each of them.

Mr. SPEAKER: All right.

The motion of Rai Harendra Nath Chaudhuri that in clause 11, in proposed Schedule III, B—Muhammadan Constituencies, against Colootola, Ward No. 8, for the word "two" in column 3, the word "one" be substituted, was then put and a division taken, with the following results:—

AYES—52.

Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Banerji, Mr. P.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Bibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Promhari.
Barman, Babu Shyama Prosad.
Basu, Mr. Santosh Kumar.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra,
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das, Mr. Monmohan.
Das Guta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. Jogesh Chandra.
Jalan, Mr. I. D.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Md. Adwita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Jogendra Nath.
Mookerjee, Dr. Syamaprasad.
Mukherjee, Mr. B.
Mukherji, Dr. Sharat Chandra,
Mullick, Srijut Ashutosh.
Nasker, Mr. Hem Chandra.
Pramanik, Mr. Tarinicharan.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Sen, Rai Bahadur Jogesh Chandra.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Thakur, Mr. Pramatha Ranjan.

NOES—129.

Abdul Bari, Maulvi.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi.
Abdul Hamid, Mr. A. M.
Abdul Jabar, Maulvi.
Abdul Jabbar Patwan, Mr. Md.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdulla-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi. S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Hossain Ahmed, Mr.
Abul Quasem, Maulvi.
Aftab Ali, Mr.
Aftab Hosain Joardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Ahmed Khan, Mr. Syed.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Ashrafali, Mr. M.
Asimuddin Ahmed, Mr.
Aulad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Birkmyre, Sir Henry, Bart.
Blomenstock, Mr. L. M.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendra Nath.
Edbar, Mr. Upendranath.
Emdadul Haque, Kazi.
Farhad Raza Chowdhury, Mr. M.

Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Fazlur Rahman (Mymensingh), Mr.
French, Mr. F. H.
Giasuddin Ahmed, Mr.
Gomes, Mr. S. A.
Gurung, Mr. Dambar Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hamilton, Mr. K. A.
Hasan Ali Chowdhury, Mr. Syed.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs. M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hendry, Mr. David.
Hirtzel, Mr. M. A. F.
Idris Ahmed Mia, Maulvi.
Jalaluddin Hasemy, Mr. Syed.
Jasimuddin Ahmed Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
McGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Maqbul Hosain, Mr.
Marindin, Mr. F. J.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Sulaiman, Khan Sahib Maulvi.
Mukherji, Dr. H. C.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja, Sir, K.C.I.E.
Norton, Mr. H. R.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Razaur Rahman Khan, Mr.
Ross, Mr. J. B.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sarker, Babu Madhusudan.
Sarkar, the Hon'ble Mr. Nalini Ranjan.
Sassoon, Mr. R. M.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Shahedali, Mr.
Shamsuddin Ahmed, Mr.
Shamsuddin Ahmed Khondkar, Mr.
Shamsul Huda, Maulana.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, the Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Wordsworth, Mr. W. C.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.

The Ayes being 52 and Noes 129, the motion was lost

The motion of Rai Harendra Nath Chaudhuri that in clause 11, in proposed Schedule III, B—Muhammadan Constituencies, against Muchipara, Ward No. 9, for the word "two" in column 3, the word "one" be substituted, was then put and lost.

The motion of Rai Harendra Nath Chaudhuri that in clause 11, in proposed Schedule III, B—Muhammadan Constituencies, against Beniapukur, Ward No. 20, for the word "three" in column 3, the word "two" be substituted, was then put and lost.

The motion of Rai Harendra Nath Chaudhuri that in clause 11, in proposed Schedule III, B—Muhammadan Constituencies, against Beliaghata, Maniktola, Wards Nos. 28, 29, for the word "two" in column 3, the word "one" be substituted, was then put and lost.

Mr. SYED JALALUDDIN HASHEMY: Sir, I beg to move that in clause 11, in proposed Schedule III, D—Special Constituencies, against Bengal Chamber of Commerce, in line 1, for the word "six" in column 3, the word 'five" be substituted.

Sir, in moving this motion I propose to make it clear at the outset what I want to do by reducing the number from 6 to 5. I want that seat to be allotted to the Muslim Chamber of Commerce. In the Statement of Objects and Reasons the Hon'ble Minister in charge of the Bill has at the outset definitely stated that he has followed the analogy of the Government of India Act, 1935. Sir, fortunately under the Government of India Act one seat has been allotted to the Muslim Chamber of Commerce——

Mr. SPEAKER: I am afraid, you are entirely out of order. The only point is why instead of 6 it should be 5.

Mr. SYED JALALUDDIN HASHEMY: I am coming to that, Sir. My object is to reduce the number from 6 to 5 and to allot that one seat to another constituency, viz., the Muslim Chamber of Commerce.

Mr. SPEAKER: You cannot do that.

Mr. SYED JALALUDDIN HASHEMY: I want to say why I propose a reduction of one seat. For substantiating my argument, I want to say that this particular seat should be allotted to a certain other Chamber of Commerce.

Mr. SPEAKER: You cannot do that.

Mr. SYED JALALUDDIN HASHEMY: The Bengal Chamber of Commerce have no right and this Government have no right to give all at once six seats to that Chamber of Commerce. What is their contribution to the city of Calcutta as regards rents and taxes? They can only claim two seats on the basis of their contribution. Sir, there are other Chambers of Commerce—the Bengal National Chamber of Commerce, the Marwari Chamber of Commerce, and the Indian Chamber of Commerce. (THE HON'BLE MR. NALINI RANJAN SARKER: What about the Muslim Chamber of Commerce?) Yes, I forgot to mention the Muslim Chamber of Commerce, which is an important body. The Government of India have recognized its claims, and we have got its representative in this House.

Sir, what I propose is that one seat should be taken away from the six seats proposed for the Bengal Chamber of Commerce and given to any other Chamber of Commerce—preferably the Muslim Chamber of Commerce.

Sir, this Government, we are given to understand, is a Muslim League Government——

Mr. SPEAKER: Order, order. You should not proceed on that line.

Mr. SYED JALALUDDIN HASHEMY: All right, Sir, I will not proceed on that line. (Laughter.) Sir, it has been said by previous speakers, particularly by Dr. Sanyal, on more than one occasion that this Chamber of Commerce—I mean the Bengal Chamber of Commerce—cannot under any consideration whatsoever get six seats on the Calcutta Corporation. Therefore, Sir, it is necessary to reduce their number at least by one and allot this seat to any other commercial constituency which in Government's opinion deserves additional representation. I should prefer that the Muslim Chamber of Commerce should get this extra seat.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, I oppose the amendment.

The motion of Mr. Syed Jalaluddin Hashemy that in clause 11, in proposed Schedule III, D—Special Constituencies, against Bengal Chamber of Commerce, in line 1, for the word "six" in column 3, the word "five" be substituted, was then put and a division taken with the following result:—

AYES—63.

Abdul Jabbar Paiwan, Mr. Md.
Abu Hossain Sarkar, Maulvi.
Ahmed Khan, Mr. Syed.
Asimuddin Ahmed, Mr.
Banerji, Mr. P.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Promhari.
Barman, Babu Shyama Prosad.
Barman, Babu Upendra Nath.
Basu, Mr. Santosh Kumar.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chattopadhyay, Mr. Hari pada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Emdadul Haque, Kazi.
Giasuddin Ahmed, Mr.
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. Jogesh Chandra.
Hasan Ali Chowdhury, Mr. Syed.
Jalaluddin Hashemy, Mr. Syed.
Jalan, Mr. I. D.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Jogendra Nath.

Maqbul Hosain, Mr.
Mookerjee, Dr. Syamaprasad.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. B.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasker, Mr. Hem Chandra.
Ramizuddin Ahmed, Mr.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Shahedali, Mr.
Shamsuddin Ahmed, Mr. M.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Thakur, Mr. Pramatha Ranjan.

NOES—117.

Abdul Bari, Maulvi.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi.
Abdul Hamid, Mr. A. M.
Abdul Jabbar, Maulvi.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hosain Ahmed, Mr.
Abul Quasem, Maulvi.
Attab Ali, Mr.
Attab Hosain Jeardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Altazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Ashrafali, Mr. M.
Aulad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Birkmyre, Sir Henry, Bart.
Brown, Mr. A. O.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Dass, Babu Debendara Nath.
Edbar, Mr. Upendranath.
Farhad Raza Chowhdury, Mr. M.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman (Mymensingh), Mr.
French, Mr. F. H.
Gomes, Mr. S. A.
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M. B. E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hendry, Mr. David.
Hirtzel, Mr. M. A. F.
Idris Ahmed Mia, Maulvi.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
McGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Miles, Mr. C. W.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr Md.
Morgan, Mr. G., C. I. E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Solaiman, Khan Bahadur.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K. C. I. E.
Nooruddin, Mr. K.
Norton, Mr. H. R.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Razaur Rahman Khan, Mr.
Ross, Mr. J. B.
Roy, the Hon'ble Sir Bijoy Prosad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sanaullah, Al-Haj Maulana Dr.
Sarker, Babu Madhusodan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sassoon, Mr. R. M.

Serajul Islam, Mr.	Tamizuddin Khan, The Hon'ble Mr.
Shahabuddin Mr. Khwaja, C. B. E.	Tofel Ahmed Choudhury, Maulvi Haji.
Shamsuddin Ahmed Khondkar, Mr.	Walker, Mr. W. A. M.
Shamsul Huda, Maulana.	Wordsworth, Mr. W. C.
Sirdar, Babu Litta Munda.	Yusuf Ali Choudhury, Mr.
Steven, Mr. J. W. R.	Zahur Ahmed Choudhury, Maulvi.
Suhrawardy, the Hon'ble Mr. H. S.	

The Ayes being 63 and the Noes 117, the motion was lost.

Mr. SPEAKER: That disposes of all the amendments on the Schedules.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, what about the labour schedule? Will you not allow the labour point of view to be expressed on the labour schedule?

Mr. SPEAKER: Amendments on labour schedule do not arise, as we have considered every bit of them when discussing the main section. If you like, you may discuss it during the third reading of the Bill.

Dr. NALINAKSHA SANYAL: There is just one point, Sir. Perhaps you will realise that it is at this stage alone that discussion can be made regarding the allotment of these two seats for the whole of Calcutta.

Mr. SPEAKER: But that question can be considered during the third reading of the Bill. In any case, I will allow you opportunity to speak on this matter during the third reading.

Dr. NALINAKSHA SANYAL: In the third reading the Bill will be taken up as a whole.

Mr. SIBNATH BANERJEE: May I submit that these problems cannot be discussed in the third reading.

Mr. SPEAKER: These problems do not arise here, because, when considering the main section, the amendment of Mr. Banerjee was not carried. That is my difficulty. Every bit of your amendment, Mr. Banerjee, is an integral part of the amendment of which you gave notice on the main section and since that amendment has been rejected, your present amendment cannot be discussed now.

Mr. NIHARENDU DUTTA MAZUMDAR: Will you kindly allow the labour point of view to be expressed on the labour schedule?

Mr. SPEAKER: This may be discussed when considering the third reading of the Bill.

Dr. NALINAKSHA SANYAL: The question that our Labour friends want to discuss is about the allocation of Labour seats in Calcutta, namely, the principle of having 2 seats for the whole of Calcutta which is thoroughly impracticable and unpractical.

Mr. SPEAKER: That has been discussed by Mr. Sibnath Banerjee at the time of considering the main section.

Dr. NALINAKSHA SANYAL: Two seats have been given for the whole of Calcutta, but it has not been laid down how the seats should be distributed, *e.g.*, for the North, South, East or West Calcutta.

Mr. SPEAKER: There is no amendment to that effect.

Mr. NIHARENDU DUTTA MAZUMDAR: I submit, Sir, that the allocation of seats has been decided upon. Now, the schedule is prescribing how these seats will be distributed. Before the schedule is put to vote, I think it would be better that the labour point of view should be expressed and an opportunity be given to the Hon'ble Minister to reconsider his decision before the schedules are put to vote finally.

Mr. SPEAKER: But where is the substantive amendment?

Mr. SIBNATH BANERJEE: Sir, we are not going to reject the whole thing. We are only going to discuss about the allocation of these two seats.

Mr. SPEAKER: But there is no amendment of that kind.

Mr. SIBNATH BANERJEE: There is my amendment No. 446.

Mr. SPEAKER: Your motion No. 446 would have been in order if it had not resulted in the increase of the total number of seats. You wanted to move it as a substantive motion, but that has been rejected.

Mr. NIHARENDU DUTTA MAZUMDAR: It is proposed that two seats will be given to the whole of Calcutta as a sort of labour constituency. Now the amendment of Comrade Sibnath Banerjee suggests that the allocation of seats should be so distributed that one particular section of Calcutta workers shall constitute one constituency for the purpose of representation of labour. So, I submit that it would be perfectly in order to discuss the actual manner in which the seats allotted are to be represented in the election. I, therefore, submit that Comrade Sibnath Banerjee's amendment is perfectly in order and is relevant with regard to the question as to how the seats allotted to labour are to be actually filled in and distributed among the Calcutta workers.

Mr. SPEAKER: But you ought to remember that Mr. Sibnath Banerjee brought in a similar amendment—No. 153—over the main section of the Bill itself and that being rejected, this question cannot be reopened.

Mr. SIBNATH BANERJEE: I submit, Sir, that amendment No. 153 deals with altogether a different matter.

Mr. NIHARENDU DUTTA MAZUMDAR: My submission is that amendment No. 153 limits the period to 6 months in the year previous to the year when election is held and that refers to the extension of franchise to the factory workers. So, it is altogether a different matter. Now the question of delimitation of constituency should be considered and Mr. Sibnath Banerjee's present amendment wants the representation of those workers who are in the employment of the Corporation itself. His proposal lays down the particular delimitation of constituency and, therefore, it is in order.

Mr. SPEAKER: I may remind Mr. Sibnath Banerjee that the House has already carried section 4 of clause 5 where it is said that, "A person shall be qualified as an elector of a labour constituency specified in Schedule III if he is a member of a trade union registered under the Indian Trade Unions Act, 1926, which has its registered office within the limits of Calcutta."

Mr. SIBNATH BANERJEE: May I make my submission, Sir? I am not militating against that. All that we want is that we want some privilege for the workers employed by the Corporation and that is the intention of my amendment and so it is quite in order.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, you have read out the qualifications of a person who can stand for the labour constituency. After the qualifications are decided upon, there must be a constituency on behalf of which he will stand and Comrade Sibnath Banerjee's amendment deals with the particular constituency for which the qualified person can stand—these qualifications have already been passed by the section which you have read out.

Mr. SPEAKER: What about the proviso—"actually engaged..... in an industry with which the trade union is connected"? I am afraid, the schedule can never be utilised for the purpose of restricting the substantive provision in the section itself.

Dr. NALINAKSHA SANYAL: May I submit one thing——

Mr. SPEAKER: I think it would be better if Dr. Sanyal will allow the gentleman, who is responsible for these amendments, to speak.

Mr. SIBNATH BANERJEE: My interest is quite safe in the hands of Dr. Sanyal.

Mr. NIHARENDU DUTTA MAZUMDAR: Sir, I may submit that here two questions are really involved—one is the qualifications of persons for the purpose of representing labour constituency and the other is delimitation of constituency. The question of qualifications has been disposed of in the section which you have just read out and which has been adopted. Here, Sir, we come to the question of the delimination of constituencies. There is nothing in the Act which excludes the municipal workers from being qualified——

Mr. SPEAKER: Will you read the amendment as it will stand if carried?

Mr. SIBNATH BANERJEE: "Trade unions referred to in sub-section (4) of section 20 and workers employed by the Calcutta Corporation."

Mr. SPEAKER: What does it mean? Where do the workers come in in the main Bill?

Mr. SIBNATH BANERJEE: Other qualifications will be surely there.

Mr. SPEAKER: I am afraid I have allowed full discussion. I was quite anxious to accommodate, if possible. I can tell you, Mr. Banerjee, that unless I am absolutely convinced on grounds more than one, I cannot allow these motions. I have heard and reconsidered them, but I am not convinced. I, therefore, declare them out of order.

The question that clause 11 stand part of the Bill was then put and agreed to.

The question that clause 12 stand part of the Bill was then put and agreed to.

The question that the preamble stand part of the Bill was then put and agreed to.

Mr. SIBNATH BANERJEE: What about 13?

Mr. SPEAKER: That is out of order.

The Hon'ble Nawab Bahadur Khwaja HABIBULLAH, of Dacca: I move that the Bill as settled in the Assembly be passed.

Adjournment.

The House was then adjourned till 4-45 p.m. on Wednesday, the 10th May, 1939, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 10th May, 1939, at 4-45 p.m.

Present:

Mr Speaker (the Hon'ble Khan Bahadur M AZIZUL HAQUE, C.I.E.) in the Chair, 11 Hon'ble Ministers and 216 members.

STARRED QUESTIONS

(to which oral answers were given)

Charge of the office of President of the Sitgram Union Board, Dinajpur.

*428. **Maulvi ABDUL JABBAR:** (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware—

(*i*) that the Sitgram Union Board No. 7 under police-station Raiganj in the district of Dinajpur was re-constituted in October, 1938; and

(*ii*) that the out-going President has not up till now made over charge of the said union to the new President?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons for the delay?

(*c*) Is the Hon'ble Minister considering the desirability of taking immediate and necessary steps in this matter?

The Hon'ble Khwaja Sir NAZIMUDDIN (on behalf of the Minister in charge of the Local Self-Government Department): (*a*) (*i*) Yes.

(*ii*) The out-going President made over charge on the 16th April, 1939.

(*b*) and (*c*) The ex-President at first put off making over charge on various pretexts in spite of repeated reminders from the Circle Officer who at length served a notice upon him, asking him to make over charge. A meeting was called for the purpose on the 16th February, 1939, but as the newly elected President did not turn up, the meeting had to be thrice adjourned. On the last date, i.e., 20th March, 1939, there was a difference between the old and the new President over the question of the grant of a receipt which was demanded by the former and refused

by the latter; and so the charge was not made over. The ex-President was prosecuted on the 31st March, 1939, and he made over charge on the 16th April, 1939. The case against the ex-President is still pending in Court.

Mr. NISHITHA NATH KUNDU: Answer to (*b*) and (*c*) discloses that it was due to the fault of the newly elected President that the charge could not be made over because he did not turn up at the meeting. I want to know from the Hon'ble Minister in charge why the ex-President was prosecuted?

Mr. SPEAKER: That was an action on the part of the Union Board.

Mr. NISHITHA NATH KUNDU: I do not know whose action it was.

Mr. SPEAKER: If it was an action of the Union Board, then the question does not arise.

Mr. NISHITHA NATH KUNDU: It will be seen that the ex-President was ready to make over charge.

Mr. SPEAKER: That is another matter. Government is not responsible for it. The whole point is this. I hope you will remember that in regard to questions concerning local bodies, this House has got jurisdiction only to the extent to which Government is responsible. Unless you can find out that the Hon'ble Minister is responsible for the prosecution, the question does not arise. First of all, find out whether the Government is responsible.

Mr. NISHITHA NATH KUNDU: We do not know who was the prosecutor in this case.

Mr. SPEAKER: First ask that.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state under whose instruction or direction——

Mr. SPEAKER: You must ask under whose authority?

Mr. NISHITHA NATH KUNDU: Under whose authority was the prosecution started?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I want notice.

Mr. NISHITHA NATH KUNDU: In view of the fact that the ex-President has since made over charge, does the Hon'ble Minister think it desirable to instruct the withdrawal of the prosecution?

Mr. SPEAKER: I do not think that it is a matter with which the department has anything to do.

Babu PREMHARI BARMA: Will the Hon'ble Minister be pleased to state the charges under which the ex-President was prosecuted?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: As far as I am aware, for not handing over charge.

Maulvi ABDUL JABBAR: Will the Hon'ble Minister be pleased to state if it is a fact that no step was taken for taking over charge from the ex-President prior to the receipt of notice of this question though the new Union Board was reconstituted six months ago?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I am not aware of that.

Scheduled Castes appointments in the Damodar and Eden Canal Departments.

*429. **Mr. ADWAITA KUMAR MAJI:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works (Irrigation) Department be pleased to state—

(*i*) the present number of employees in the Damodar and Eden Canal Departments; and

(*ii*) how many of them belong to the Scheduled Castes?

(*b*) Has any instruction been issued to the department to follow the percentage fixed for the district of Burdwan for the appointment of Scheduled Castes?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

MINISTER in charge of the COMMUNICATIONS AND WORKS DEPARTMENT (the Hon'ble Maharaja Srischandra Nandy, of Cossimbazar):

(*a*) (*i*) (1)	Clerical employees (including 32 temporary *mohurrirs*)	...	...	...	96
(2)	Menials	...	...	...	83
(*ii*) (1)	Clerical employees	...	...	...	2
(2)	Menials	...	...	...	2

(*b*) Yes.

(*c*) Does not arise.

Mr. RASIK LAL BISWAS: মাননীয় মন্ত্রীমহাশয় কি দয়া করে জানাবেন এই clerical employee থেকে নারায়ন দাস এবং মতিলালকে dismiss করা হোয়েছে ?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, I am afraid I cannot give a reply to a particular case like that without notice.

Appointments in work-charged establishment in Darjeeling Division.

***430. Maulvi HAFIZUDDIN CHOWDHURY:** (*a*) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state—

(*i*) the number of engineers, overseers and work sarkars working at present in the work-charged establishment appointed in the Darjeeling Division of the Northern Circle since 1st April, 1937; and

(*ii*) the number of Muhammadans among them in each grade?

(*b*) Will the Hon'ble Minister be pleased to state whether the number of Muhammadans in the work-charged establishment in the Darjeeling Division has reached the minimum percentage fixed by a Government circular to the effect that Muhammadans should be appointed in all vacancies till the minimum proportion is reached?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state the reasons?

(*d*) Is the Hon'ble Minister considering the desirability of giving effect to the instructions contained in the circular by—

(*i*) discharging all work-charged staff who have been appointed since the 1st April, 1937; and

(*ii*) appointing Muhammadans in their places?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: (*a*) A statement giving the desired information is laid on the table.

(*b*) No.

(*c*) Suitable Muhammadan candidates not being available for the posts of work-charged engineers, the engineers who had been working in this department under the bridge designer, were appointed.

In regard to the posts of work-charged overseers and work sarkars vacancies were advertised in August, 1938, in the *Azad* and the *Star of India*: Out of 12 Muhammadan candidates who applied for the posts, 4 candidates who were found to be suitable did not report for duty when offered the appointments. In addition to the newspaper advertisement an enquiry was made of the Principal, Ahsanullah School of Engineering, Dacca, if any Muhammadan candidates were available but no reply was received from him. As Government work was suffering, non-Muhammadans had to be appointed.

(*d*) No. This would not be fair.

Statement referred to in the reply to clause (a) of starred question No. 430.

Posts	Total number of appointments made since 1st April, 1937	Total number of Muhammadans appointed since 1st April, 1937.
Engineers	3	Nil
Overseers	1	Nil
Work Sarkars	12	2

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state under what rule the Government enquired of the Principal, Ahsanullah School of Engineering, if any Muhammadan candidates were available?

Mr. SPEAKER: You want to know under what authority Government did that.

Mr. ATUL KRISHNA GHOSE: I would like to know under what authority Government enquired of the Principal, Ahsanullah School of Engineering, to get the names of Muhammadan candidates?

Mr. SPEAKER: That question does not arise.

Mr. ATUL KRISHNA GHOSE: I beg to submit, Sir, that if Government, having no rules or authority behind them, can approach to-day the Principal of a particular institution to find out whether there are some candidates, suitable or unsuitable I don't mind, then I do not know the limit to which they will go.

Mr. SPEAKER: In any case, you are going beyond the limit of a supplementary question.

Mr. ATUL KRISHNA GHOSE: Government stated in their answer that in addition to the newspaper advertisements, an enquiry was made of the Principal, Ahsanullah School of Engineering.

Mr. SPEAKER: I cannot argue with you. If you have any supplementary question, you may ask.

Mr. ATUL KRISHNA GHOSE: Do I understand, Sir, that it is your ruling that this supplementary question does not arise?

Mr. SPEAKER: The question "under what authority Government did it" does not arise.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state why, of all the institutions, the Principal of the Ahsanullah School of Engineering alone was approached with a view to find out whether there were any suitable Muhammadan candidates?

Mr. SPEAKER: That is a proper question to ask.

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Because it was thought that Muslim candidates may be available from that School.

Mr. ATUL KRISHNA GHOSE: There may be Muslim candidates or students in other schools as well. What was the justification or what was the reason for enquiring from the Principal of the Ahsanullah School of Engineering alone? That is my point.

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I have nothing further to add.

Mr. ATUL KRISHNA GHOSE: Is the Hon'ble Minister aware of the fact that there are Muhammadan students and probably Muhammadan candidates within the knowledge of the Principal of the Sibpur Engineering College?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: But the students of Sibpur who quality themselves for the B.E. are different from those who study at the Ashanullah School of Engineering to become overseers or to hold similar posts.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state what was the reason to draw this distinction in making an enquiry from one institution and leaving out others?

Mr. SPEAKER: The type of officer that was required could not be secured from the Sibpur College.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to explain whether higher qualification from some other institution is a disqualification?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: I do not know how the hon'ble member makes that inference. The qualifications required for some candidates were those of overseers, so, that particular institution was asked to supply names of likely candidates. But for posts requiring higher qualification, viz., B.E., certainly the case of candidates from Sibpur and other such institutions would have been considered.

Mr. ATUL KRISHNA GHOSE: Is the Hon'ble Minister aware of the fact that there are times when candidates even with higher qualifications apply for posts which legitimately can be claimed by students with lower qualifications?

Mr. SPEAKER: That is problematic.

Sinking of tube-wells in flood-affected areas in Kurigram.

***431. Kazi EMDADUL HAQUE:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Medical Department be pleased to state whether any tube-wells were sunk in the flood-affected areas in the Kurigram subdivision as an emergent measure to prevent the spread of epidemic?

(*b*) If so, how many tube-wells were proposed to be sunk and where?

(*c*) Was any tender invited for the work? If not, why not?

(*d*) Is the Hon'ble Minister aware—

(*i*) that the attention of the District Magistrate and the Divisional Commissioner was drawn to the fact that a large number of tube-wells were not sunk during the period of the epidemic; and

(*iv*) that a large number of tube-wells were sunk after the epidemic had ceased?

(*e*) Will the Hon'ble Minister be pleased to state who got the contract to sink the wells and when?

(*f*) What was the rate accepted and for what depth?

(*g*) Was any advance given to him?

(*h*) If so, what was the amount of such advance?

(*i*) Will the Hon'ble Minister be pleased to state when did the contractor finish the sinking of the tube-wells, giving dates of completion of each?

(*j*) Is the Hon'ble Minister aware that the attention of the authorities was drawn by a representation to the fact that the contractor after sinking 20 tube-wells had realised payment for 40 tube-wells?

(*k*) If the answer to (*j*) is in the affirmative, will the Hon'ble Minister be pleased to state whether any inquiry was made in the matter?

(*l*) If so, with what results?

MINISTER in charge of the PUBLIC HEALTH, MEDICAL, AGRICULTURE and VETERINARY DEPARTMENTS (the Hon'ble Mr. Tamizuddin Khan): (*a*) Yes. Sinking of some temporary tube-wells on a hire basis was arranged in the flood-affected riparian areas of the district of Rangpur.

(*b*) Thirty-two tube-wells were sunk in the villages named in the statement below.

(*c*) Open tender could not be invited as there was no time for it. All the local tube-well contractors were approached and the rate of Rs. 10 per tube-well inclusive of all charges offered by S. M. Ahmed Hossain, a registered District Board contractor, being the lowest rate, was accepted. No other contractor was agreeable to take up the work at that rate.

(*d*) The District Magistrate received a letter from the hon'ble member. The Commissioner's attention was not drawn to any complaint nor was any received by him to the effect that most of the tube-wells had been sunk after the epidemic had ceased. The Chairman reports that a large number of tube-wells was sunk while the epidemic was at its height and a much smaller number during the subsiding period.

(*e*) S. M. Ahmed Hossain got the contract. A statement showing the dates of issue of orders for sinking the temporary tube-wells is laid on the table.

(*f*) The rate accepted was Rs. 10 inclusive of all charges per tube-well. No definite depth was fixed as in the riparian areas depth frequently varies but it was definitely stipulated that payment would only be made on production of a completion certificate from the local District Board Sanitary Officer to the effect that the tube-well was actually sunk and was yielding a good outflow of water.

(*g*) Yes.

(*h*) The contractor was engaged to sink 50 tube-wells in the cholera-affected villages not only in Kurigram subdivision but in other subdivisions also, and was advanced Rs. 480 in all on different dates on the security of the materials deposited at the sites. The advance has since been adjusted in full.

(*i*) A statement is laid on the table giving the required information.

(*j*) No.

(*k*) and (*l*) Do not arise.

Statement referred to in the reply to the answer to clause (b) of starred question No. 431.

(1) Sankarpara, (2) Ghanashyampur; (3) Jhunkarchar; (4) Majhiliarchar; (5) Parbatipur; (6) Teparkuti; (7) Midway between Punkar-Indragar; (8) Kumedchar; (9) Krishtapur; (10) Choudyaghari; (11) Kalikapurchar; (12) Magurabhita; (13) Bagmara; (14) Kapnarpar; (15) Khyerchar; (16) Naochari; (17) Kalakata; (18) Bagua; (19) Ghechudanga; (20) Datbhanga; (21) Shoulmari; (22) Khedaimari; (23) Rowmari dispensary compound; (24) Rajibpur; (25) Chottabari; (26) Dhanarchar; (27) Ballaverpara; (28) Kagrarchar; (29) Charnewaji; (30) Natarkandi; (31) Boilmandiarkhata; (32) Shakhahati.

Statement referred to in the reply to the answer to clause (e) of starred question No. 431, relating to tube-wells sunk in the flood areas of Kurigram.

20th September, 1938—for 25 tube-wells.

27th September, 1938—for 2 tube-wells.

25th October, 1938—for 4 tube-wells.

1st December, 1938—for 1 tube-well.

Total—32 tube-wells.

Statement referred to in the reply to the answer to clause (i) of starred question No. 431.

Dates of completion of tube-wells are as follows:—

		Nos.
24th October, 1938	...	1
30th October, 1938	...	3
1st November, 1938	...	1
8th November, 1938	...	1
11th November, 1938	...	1
15th November, 1938	...	1
17th November, 1938	...	1
18th November, 1938	...	1
19th November, 1938	...	2
20th November, 1938	...	1
21st November, 1938	...	1
10th December, 1938	...	1
13th December, 1938	...	1
15th December, 1938	..	1
10th January, 1939	...	1
12th January, 1939	...	1
18th January, 1939	..	1
19th January, 1939	..	1
24th January, 1939	...	1
25th January, 1939	...	2
5th February, 1939	..	8
Total	..	32

Kazi EMDADUL HAQUE: Will the Hon'ble Minister be pleased to state who were the other contractors that were approached and whether the Hon'ble Minister has got any documentary evidence to show that other contractors were approached but they charged more than Rs. 10?

The Hon'ble Mr. TAMIZUDDIN KHAN: I cannot say off-hand, I want notice,

Kazi EMDADUL HAQUE: Will the Hon'ble Minister be pleased to note that Maulvi Giasuddin Ahmed and Maulvi N. Ahmed submitted tenders but were not accepted though they offered a lower quotation?

The Hon'ble Mr. TAMIZUDDIN KHAN: I do not think so.

Mr. NISHITHA NATH KUNDU: With reference to answers (*c*) and (*b*), does the Hon'ble Minister mean to say that the contractor made a profit of Rs. 20 only because the advance was Rs. 480 and the total cost inclusive of all charges would be Rs. 500?

Mr. SPEAKER: That is the look-out of the contractor.

Persons belonging to different provinces employed in Government service and posted in Bengal in the Medical Department.

***432. Dr. NALINAKSHA SANYAL:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Medical Department be pleased to lay on the table a statement showing the number of persons belonging to different provinces employed in Government service and posted in Bengal in the Medical Department, holding various posts, medical and non-medical, showing separately those employed in the All-India Institute of Hygiene, School of Tropical Medicine, Calcutta, Medical College and other places on the 31st December, 1928, on 31st December, 1933, and on 31st December, 1938?

(*b*) Do the Government propose to investigate into the reasons for not getting all these posts filled up by duly qualified persons belonging to Bengal?

The Hon'ble Mr. TAMIZUDDIN KHAN: (*a*) A statement giving the information is laid on the table. The All-India Institute of Hygiene is maintained by the Government of India.

(*b*) By far the majority of the posts held by non-Bengalees are posts of menials which they are holding for a considerable time past.

Instructions are being issued for filling these posts with Bengalees as far as possible.

Statement referred to in the answer to clause (a) of starred question No. 12, regarding non-medical appointments (including ministerial posts and menials).

Institutions	31st December, 1928		31st December, 1933.		31st December, 1938.	
School of Tropical Medicine.	Bengal	38	Bengal	36	Bengal	39
	United Provinces	7	United Provinces	18	United Provinces	12
	Bihar	12	Bihar	6	Bihar	9
	Orissa	2	Orissa	2	Orissa	1
	Jaipur	1	Jaipur	3	Jaipur	4
Carmichael Hospital for Tropical Diseases	Bengal	26	Bengal	21	Bengal	23
	Madras	1	Madras	1	Madras	1
	Bihar	26	Bihar	27	Bihar	29
	United Provinces	6	United Provinces	7	United Provinces	6
	Jaipur	5	Jaipur	11	Jaipur	8
	Orissa	1	Orissa	1	Orissa	1
Medical College, Calcutta	Bengal	38	Bengal	49	Bengal	55
	Bombay	1	Bombay	1	Bihar	10
	Bihar	10	Bihar	9	United Provinces	10
	United Provinces	10	United Provinces	12	Orissa	5
	Orissa	4	Orissa	5		
	European	1	European	1		
Medical College Hospitals, Calcutta.	Bengal	34	Bengal	45	Bengal	53
	Bihar	15	Bihar	19	Bihar	19
	Orissa	1	Orissa	3	Orissa	3
	Anglo-Indian	6	Anglo-Indian	10	Anglo-Indian	11
	European	1				
	Contingency menials not available.		Contingency menials not available		Contingency menials—	
					Bengal	3
					Outside Bengal	414
Presidency General Hospital, Calcutta	Bengal	42	Bengal	44	Bengal	37
	Other than Bengal	187	Other than Bengal	187	Other than Bengal	192
Voluntary Venereal Hospital, Calcutta	Bengal	12	Bengal	13	Bengal	11
	United Provinces	11	United Provinces	12	United Provinces	9
	Bihar	2	Bihar	2	Bihar	1
	Orissa	1	Orissa	1	Orissa	3
	Nepal	2	Anglo-Indian	1		
	Anglo-Indian	1				
Campbell Hospitals	Bengal	68	Bengal	68	Bengal	70
	Assam	1	Assam	1	Assam	5
	Bihar	222	Bihar	222	Bihar	220
Campbell Medical School.	Bengal	12	Bengal	14	Bengal	15
	Bihar	18	Bihar	18	Bihar	17
Sambhu Nath Pandit Hospital.	Bengal	2	Bengal	14	Bengal	18
	Bihar	26	Bihar	28	Bihar	29
	United Provinces	17	Orissa	2	Orissa	3
	Orissa	2	United Provinces	17	United Provinces	21
	European	1	Assam	3	Nepal	6
			Nepal	10	Madras	1
			European	1	European	1
Mitford Hospital, Dacca	Bengal	45	Bengal	48	Bengal	51
	Bihar	27	Bihar	27	Madras	1
	Punjab	5	Punjab	14	Bihar	27
	Central Provinces	21	Central Provinces	14	Punjab	12
	European	2	European	2	Central Provinces	19
					European	2
Chemical Examiner	Bengal	18	Bengal	22	Bengal	27
	Bihar	8	Bihar	7	Bihar	8
	Orissa	1	Orissa	2	Orissa	4
	United Provinces	2	United Provinces	2	United Provinces	3
Mental Observation Ward	Bengal	4	Bengal	5	Bengal	6
	United Provinces	17	United Provinces	15	United Provinces	15
	Bihar	11	Bihar	14	Bihar	13
	Orissa	4	Orissa	1	Orissa	1
			Madras	1	Madras	1

Institutions	31st December, 1928	31st December, 1933.	31st December, 1938.
Pasteur Institute, Calcutta	Bengal 8 United Provinces 5 Punjab .. 1	Bengal 10 United Provinces 8 Punjab 2 Rajputana 1 Orissa 1	Bengal .. 11 United Provinces 7 Punjab .. 1 Rajputana 1 Orissa . 2 Bihar 2 Assam .. 1
Bacteriological Laboratory	Bengal 2 Bihar 3	Bengal 2 Bihar 3	Bengal 2 Bihar 3
Ronaldshay Medical School, Burdwan	Bengal 7 Bihar 10	Bengal 6 Bihar 13 Nepal 1	Bengal 8 Bihar . 11 Nepal 1
Jackson Medical School, Jalpaiguri	The school was not opened at that time	Bengal 5 Bihar 6 United Provinces 4	Bengal . 8 Bihar 5 United Provinces 3
Dacca Medical School	Bengal 23 Madras 2 Bihar 5 United Provinces 1	Bengal 26 Madras 2 Bihar 5 United Provinces 1	Bengal 26 Madras . . 2 Bihar 5 United Provinces 1
Lytton Medical School Mymensingh	Bengal 7 Bihar and Orissa .	Bengal . 8 Bihar and Orissa 6	Bengal 8 Bihar and Orissa 5 Nepal 1
Chittagong Medical School	The school was not opened at that time	Bengal 9 United Provinces 1 Bihar and Orissa 3	Bengal . 10 United Provinces 1 Bihar and Orissa 3
Civil Surgeon's Office-			
Bakarganj	Bengal 5 Bihar 1	Bengal 5 Bihar 1	Bengal 4 Bihar 1
Midnapore .	Bengal 4	Bengal . 4	Bengal 4
24-Parganas .	Bengal 3 Bihar 1	Bengal 3 Bihar 1	Bengal . 3 Bihar . 1
Tippera	Bengal 3	Bengal 3	Bengal . 3
Rajshahi	Bengal 4	Bengal 4	Bengal 3
Pabna	Bengal 3	Bengal 3	Bengal . 3
Nadia	Bengal 3	Bengal . 3	Bengal . 3
Murshidabad	Bengal 4 Bihar 1	Bengal 4 Bihar . 1	Bengal . 4 Bihar . 1
Malda	Bengal .. 3	Bengal . 3	Bengal .. 3
Khulna .	Bengal 2 Orissa 1	Bengal 2 Orissa . 1	Bengal . 2 Orissa 1
Jessore	Bengal 3	Bengal . 3	Bengal . 3
Jalpaiguri .	Bengal 3 Bihar 1	Bengal 3 Bihar .. 1	Bengal 3 Bihar . 1
Howrah	Bengal 2 Other than Bengal 1	Bengal 2 Other than Bengal 1	Bengal . 2 Other than Bengal 1
Hooghly .	Bengal .. 2 Bihar . 1	Bengal 2 Bihar .. 1	Bengal .. 2 Bihar .. 1
Uttarpara Hospital	Bengal . 2 United Provinces 1 Bihar .. 1 Orissa .. 2	Bengal 2 United Provinces 1 Bihar 1 Orissa .. 2	Bengal .. 2 United Provinces 1 Bihar .. 1 Orissa . 2
Burdwan ..	Bengal .. 2 United Provinces 1	Bengal . 2 United Provinces 1	Bengal .. 2 United Provinces 1
Bogra .	Bengal . 3	Bengal .. 3	Bengal . 3
Bankura .	Bengal 2 Bihar . 1	Bengal .. 2 Bihar .. 1	Bengal .. 2 Bihar . 1
Chittagong	Bengal . 4	Bengal . 4	Bengal . 3
Mymensingh ..	Bengal 7	Bengal . 7	Bengal .. 6

Institutions	31st December, 1928		31st December, 1933		31st December, 1938.	
Civil Surgeon's Office—						
Noakhali ..	Bengal ..	3	Bengal .	3	Bengal ..	3
Dacca ..	Bengal .	5	Bengal ..	5	Bengal ..	5
Birbhum ..	Bengal .	3	Bengal ..	3	Bengal ..	3
Rangpur ..	Bengal .	3	Bengal ..	3	Bengal ..	3
	Bihar .	1	Bihar	1	Bihar ..	1
Chittagong Hill Tracts	Bengal ..	3	Bengal .	3	Bengal ..	3
Darjeeling .	Not available.		Bengal .	3	Bengal .	3
Dinajpur ..	Bengal .	4	Bengal .	3	Bengal .	2
					Bihar ..	1
Surgeon-General's Office	Bengal .	34	Bengal	38	Bengal	44
	Bihar	8	Bihar	8	Bihar	7
	Orissa	1	Orissa	1	Orissa	1

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state why in the statement referred to the posts of medical appointments are not given? The statement, as the headline shows, only shows non-medical appointments—but what about the medical appointments?

Mr. SPEAKER: That question stands open.

Dr. NALINAKSHA SANYAL: Is it a fact that in the School of Tropical Medicine there are a number of non-medical appointments of persons belonging to the province of the Punjab, for example, Mr. P. S. Sheshadri, clerk under I.R.F.A., Mr. K. S Malik, Chemist under the I.R.F.A., Mr. R. L. Bhadua, Botanist under the I.C.A.R., Mr. R. Nair, Chemist, Mr. P. C. Khanna, Chemist, Mr A. S. Soni, Laboratory Assistant, Mr. Sundarlal, Laboratory Assistant, Mr. Harnam and Mr. Murabbi, who was formerly a driver of the Director of the School of Tropical Medicine and since dismissed because he was found worthless, Mr. Shyamlal——

Mr. SPEAKER: I am afraid, you cannot put questions of this nature. Your point is whether there are many people from the Punjab appointed in the School of Tropical Medicine.

Dr. NALINAKSHA SANYAL: I find from the statement attached that no mention is made of the Punjab there; and in order to elicit further information I want to know whether these Punjabis are employed there.

Mr. SPEAKER: You can mention only one or two names.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that there are some of these Punjabis employed in that institute, but there is no mention of the Punjab there?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes, that appears to be so.

Dr. NALINAKSHA SANYAL: Why then do Secretaries of the Departments mislead Hon'ble Ministers?

(No reply.)

Dr. NALINAKSHA SANYAL: Is it a fact that since the present Director Col. Chopra was appointed, there has been an employment of 13 persons from other provinces, including one from Madras and 12 from the Punjab in the School of Tropical Medicine?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes, that appears to be so.

Dr. NALINAKSHA SANYAL: Is it a fact that some of these persons hold no more qualifications than those of mere matriculates, and some do not possess even that much of qualification?

The Hon'ble Mr. TAMIZUDDIN KHAN: I want notice, Sir.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that the special charges which are usually levied for special examinations, e.g., X-ray examination, etc., may be remitted by the Director if he certifies that this is for research purposes, and that this consideration is always shown in the case of Punjabis?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: I submit, Sir, that this is a consequential question. However, I shall put a fresh question. Will the Hon'ble Minister be pleased to state if it is a fact that, as a result of the employment of a large number of Punjabis in the School of Tropical Medicine, the Punjabi residents of Calcutta, at least the big ones, get free medical advice?

The Hon'ble Mr. TAMIZUDDIN KHAN: I am not aware of that, Sir.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if it is a fact that Laboratory examinations of private patients by Punjabi doctors are carried out in the School of Tropical Medicine free of charge?

Mr. SPEAKER: That question does not arise.

Dr. NALINAKSHA SANYAL: I submit, Sir, that it arises because there is a Punjabi Director in charge of that School.

Mr. SPEAKER: That may be the basis of a speech but not of a supplementary question.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that the medical men appointed under Col. Chopra and Major Pasricha, both Punjabis,—one the Director, and the other Professor of Pharmacology in the School of Tropical Medicine—I mean Bengalis and others have often got to go to the houses of Punjabi residents of Calcutta and attend on them free of charge?

The Hon'ble Mr. TAMIZUDDIN KHAN: I am not aware of that, Sir.

Appointments in the Bengal Veterinary College.

***433. Mr. SHAMSUDDIN AHMED KHANDKAR:** (*a*) Is the Hon'ble Minister in charge of the Agriculture and Veterinary Department aware—

(*i*) that three brothers of the present Manager, Bengal Veterinary College, have been appointed to three posts in the college;

(*ii*) that it is in the contemplation to appoint the fourth brother of the Manager who has recently passed from Bengal Veterinary College to another post in the college;

(*iii*) that a nephew of the Vice-Principal of the college has been appointed as a cashier of the college; and

(*iv*) that the post of the cashier was reserved for Muslims?

(*b*) If the answer to (*a*) (*iv*) is in the affirmative, will the Hon'ble Minister be pleased to state why a Muslim was not appointed to the post?

(*c*) Is the Hon'ble Minister aware that purchases of all medicines are made from a pharmacy styled "Anna Purna Medical Store" at Cornwallis Street?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the said store is owned by a nephew of the Vice-Principal of the college?

(*e*) Is the Hon'ble Minister aware—

(*i*) that two brothers-in-law and a son-in-law of a lecturer of the said college have been granted stipends; and

(*ii*) that it is in contemplation to appoint one of the brothers-in-law of the said lecturer to a post in the college?

(*f*) If the answers to (*a*), (*c*) and (*e*) are in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, do the Government propose to take in the matters?

The Hon'ble Mr. TAMIZUDDIN KHAN: (*a*) (*i*) Two and not three brothers of the Manager are in employment in the college—one as Gymnasium Instructor appointed in 1928 and the other as House Surgeon, Dog Ward, appointed as such in 1930 and now officiating as Assistant Lecturer since July, 1937.

(*ii*) A third brother passed the Final Examination from the college this year and has been permitted with other graduates of the year to attend hospital practice without any remuneration. He will be considered on equal footing with other candidates for employment in the Civil Veterinary Department when a vacancy occurs.

(*iii*) Yes.

(*iv*) No. But in view of the low percentage of Muslims in the department a general order was issued to fill up all vacancies by Muslims till the required percentage was attained and to obtain orders of Government in case no suitable Muslim was available for any particular vacancy.

(*b*) The vacancy was duly advertised and an effort was made to secure a suitable Muslim for the post but no Muslim candidate fully qualified for the post in the opinion of the appointing authority was available. One Muslim candidate possessed qualifications approaching suitability but he was unable to furnish the required security. The vacancy was therefore filled up with the approval of Government by a non-Muslim who was an M.Com. of the Calcutta University and was found to be the best of all the candidates, the required Muslim percentage in the clerical posts in the college being made up by filling up all the three clerical posts recently sanctioned by Muslims.

(*c*) No. Medical stores are generally indented from the Government Medical Stores Depot and only in emergent cases in which the stores wanted are not immediately available in the Government Depot, local purchases are made from a number of firms in Calcutta, the Anna Purna Medical Stores being one of them. The other firms from which medical stores are obtained, as occasions arise, are Messrs. Bathgate & Co., Butto Krishto Paul, Bengal Chemical Works, Bengal Immunity, Burroughs Welcome & Co., etc.

(*d*) Yes.

(*e*) (*i*) One brother-in-law of a lecturer, and not two, is in the college and he has obtained a stipend from the Hooghly District Board. A son-in-law of the same lecturer has secured a stipend on the result of a competitive examination open to all eligible candidates.

(*ii*) No.

(*f*) I am making further enquiries into the matter.

Mr. ABDUL WAHAB KHAN: With reference to answer (*b*), namely, that one Muslim candidate possessed qualifications approaching suitability but that he was unable to furnish the required security, will the Hon'ble Minister be pleased to state whether the same Muslim candidate offered to pay half the security in cash and the other half by instalments, as is permissible under the rules on the subject?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes, Sir.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state the reasons for not appointing him to the post, although he was selected?

The Hon'ble Mr. TAMIZUDDIN KHAN: It appears that the appointing authority was not in favour of the appointment of that man.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister please tell us, with reference to answer (*c*), what is the cost of medicines purchased from the Anna Purna Medical Stores, which is owned by a nephew of the Principal, as compared with the other stores mentioned in the answer, during the year 1938?

Mr. SPEAKER: You ought to ask first of all whether the Anna Purna Stores is owned by a nephew of the Principal.

Mr. ABDUL WAHAB KHAN: That has been admitted, Sir.

The Hon'ble Mr. TAMIZUDDIN KHAN: So far as this question is concerned, I am making an enquiry; but the enquiry is not yet complete.

Mr. SHAMSUDDIN AHMED KHANDKAR: Will the Hon'ble Minister please tell us what is meant by the words "qualifications approaching suitability" mentioned in answer (*b*)?

The Hon'ble Mr. TAMIZUDDIN KHAN: That is the opinion of the appointing authority, namely, that the candidate had qualifications approaching suitability.

Mr. SHAMSUDDIN AHMED KHANDKAR: What was the qualification?

Mr. SPEAKER: Don't you think that in view of the answer given there should no further supplementaries?

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state whether he is aware that the attention of Government has been drawn to instances of favouritism among the staff and their relations in matters of appointment and of corruption in the purchase of medicines and other things prevailing in the college for some time past, by a question of Mrs. Hashina Murshed during the last session and also by representations from members of the Assembly during the present session?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes, Sir, a question was put to this effect during the last session and an answer given.

Mr. ABDUL WAHAB KHAN: Sir, my question has not been answered. I wanted to know whether Government's attention has been drawn to certain facts.

Mr. SPEAKER: That question has been answered. The Hon'ble Minister said that he was making an enquiry.

Mr. ABDUL WAHAB KHAN: No, Sir. That enquiry relates to a different matter. My question was about instances of corruption and favouritism.

Mr. SPEAKER: That question does not arise here.

Mr. ABDUL WAHAB KHAN: I also said that a representation was made to the Hon'ble Minister by members of the Assembly during——

Mr. SPEAKER: That is too general a question.

Mr. ABDUL WAHAB KHAN: But these are specific matters——

Mr. SPEAKER: Order, order. Mr. Abdul Wahab Khan, you cannot argue with me. You ought to know that a little bit of discipline is required in this House. Here is a question on a specific issue, but you are putting questions about the entire system of corruption prevailing in the college. That cannot be allowed.

Mr. ABDUL WAHAB KHAN: Sir, there is a definite charge of corruption. Let me explain my position.

Mr. SPEAKER: No, no. You can't do that.

Mr. SHAMSUDDIN AHMED KHANDKAR: With reference to answer (*e*), will the Hon'ble Minister be pleased to state whether a brother-in-law of the lecturer who passed from the Veterinary College is under training there?

The Hon'ble Mr. TAMIZUDDIN KHAN: I am enquiring into that, and I shall give a reply later on.

Maulvi MUHAMMAD ISRAIL: Will the Hon'ble Minister be pleased to state who is the appointing authority in this particular case?

The Hon'ble Mr. TAMIZUDDIN KHAN: The Principal of the College.

Mr. SHAMSUDDIN AHMED KHANDKAR: Will the Hon'ble Minister be pleased to state if the owner of the medical store is the brother of the cashier of the college and living in the same mess?

The Hon'ble Mr. TAMIZUDDIN KHAN: I do not know.

Mr. SHAMSUDDIN AHMED KHANDKAR: With reference to (*e*), will the Hon'ble Minister be pleased to state if he is aware that the brother-in-law of a lecturer of the college is now under training for appointment?

The Hon'ble Mr. TAMIZUDDIN KHAN: I think, Sir, the answer speaks for itself.

Mr. ABDUL WAHAB KHAN: With reference to (*a*) and in view of the admission that two brothers of the manager have been appointed in the college and one brother-in-law of the Vice-Principal has been appointed cashier and one nephew of the Vice-Principal is the owner of the Medical Store from which medical goods are purchased, will the Hon'ble Minister be pleased to state whether the attention of the Government has been drawn to these cases of favouritism and other charges of corruption by the members of the Assembly or by others?

Mr. SPEAKER: You have certainly exercised legal intelligence but, I am afraid, the legal intelligence ought to be exercised with an eye to the rules. All these questions are valid provided they arise out of this question.

Mr. ABDUL WAHAB KHAN: Sir, they arise out of answers (*a*) (*i*) and (*iii*) where it has been admitted that these are the relations of the staff who have been appointed in the college.

Mr. SPEAKER: Mr. Abdul Wahab Khan, you will see me in my Chamber and I will tell you how to put exactly the same question and yet be within the rules.

Mr. ABDUL WAHAB KHAN: My question is whether attention of the Government has been drawn to the cases of corruption in the college?

The Hon'ble Mr. TAMIZUDDIN KHAN: So far as this question is concerned, no question of corruption arises at all.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state if the attention of the Government has been drawn to the prevalence of favouritism in the college?

The Hon'ble Mr. TAMIZUDDIN KHAN: The answers speak for themselves.

Mr. ABDUL WAHAB KHAN: Will the Hon'ble Minister be pleased to state whether Government propose to hold an enquiry as regards favouritism prevailing in the college?

The Hon'ble Mr. TAMIZUDDIN KHAN: I have already said in my answer that I am making further enquiries into certain matters and before those enquiries are completed, I cannot give any reply to such questions.

Allowances drawn by members of the Bengal Legislative Assembly for attending Select Committee Meetings.

*434. **Mr. MAQBUL HUSSAIN:** Will the Deputy Speaker be pleased to state the amount drawn by each of the members of the different Select Committees up to the 10th March, 1939?

Mr. M. ASHRAF ALI (Deputy Speaker): A statement is laid on the table.

Statement referred to in the answer to starred question No. 434.

		Rs.	a.
(1)	Bannerjee, Mr. Manoranjan ...	1,313	2
(2)	Banerji, Mr. Satya Priya ...	561	4
(3)	Chakrabarty, Babu Narendra Narayan ...	161	13
(4)	Chaudhuri, Rai Harendra Nath (No bill has yet been drawn.)		
(5)	Barman, Babu Upendra Nath ...	65	10
(6)	Das, Mr. Monmohan ...	301	10
(7)	Das, Mr. Anukul Chandra ...	350	11
(8)	Basu, Mr. Santosh Kumar ...	5	0
(9)	Barma, Mr. Puspajit ...	340	14
(10)	Biswas, Mr. Surendra Nath ...	1,281	14
(11)	Das, Rai Sahib Kirit Bhusan ...	224	13
(12)	Crosfield, Mr. L. M. ...	79	11
(13)	Dutta, Mr. Sukumar ...	201	8
(14)	Das, Babu Radhanath ...	211	0
(15)	Edbar, Mr. Upendranath ...	174	1
(16)	Barma, Babu Premhari ...	505	5
(17)	Gyasuddin Ahmed Choudhury, Alhadj ...	209	0
(18)	Fazlur Rahman (Muktear), Mr. ...	1,027	13
(19)	Farhad Raza Chowdhury, Mr. M. ...	81	8
(20)	Goswami, Mr. Tulsi Chandra (No bill has yet been drawn.)		
(21)	Golam Sarwar Hosaini, Mr. Shah Syed ...	1,713	15
(22)	Gupta, Mr. Jogesh Chandra ...	47	8
(23)	Ferguson, Mr. R. H. ...	240	12
(24)	Fazlur Rahman, Mr. (Dacca). ...	1,514	10
(25)	Hashem Ali Khan, Khan Bahadur Maulvi ...	241	0

		Rs.	a.
(26)	Hamiduddin Ahmad, Khan Sahib ...	222	15
(27)	Hasanuzzaman, Maulvi Md. ...	701	10
(28)	Idris Ahmed Mia, Maulvi ...	158	7
(29)	Abdur Rauf, Khan Sahib, Maulvi S. ...	198	7
(30)	Aftab Hosain Joardar, Maulvi ...	915	2
(31)	Ahmed Ali Enayetpuri, Khan Bahadur ...	186	10
(32)	Abdul Hamid, Mr. A. M. ...	282	8
(33)	Abidur Reza Chowdhury, Khan Bahadur Maulvi ...	217	14
(34)	Abdul Hakim Vikrampuri, Maulvi Md. ...	178	5
(35)	Abdus Shaheed, Maulvi Md. ...	160	14
(36)	Abdul Hakim, Maulvi ...	1,269	2
(37)	Acharyya Choudhury, Maharja Sashi Kanta, of Muktagacha ...	456	8
(38)	Abdur Rauf, Mr. Shah ...	955	8
(39)	Abdul Bari, Maulvi ...	1,465	2
(40)	Azhar Ali, Maulvi ...	942	1
(41)	Abu Hossain Sarkar, Maulvi ...	56	15
(42)	Aminulla, Khan Sahib, Maulvi ...	229	0
(43)	Abul Fazl, Mr. Md. ...	251	14
(44)	Ashrafali, Mr. M. (No bill has been drawn.)		
(45)	Ahmed Hosain, Mr. ...	744	5
(46)	Abdur Rahman Siddiqi, Mr. ...	132	8
(47)	Abdul Hamid Shah, Maulvi ...	154	13
(48)	Abdul Karim, Mr. ...	235	5
(49)	Abdul Hafiz, Mr. Mirza ...	1,328	10
(50)	Abdul Latif Biswas, Maulvi ...	1,790	0
(51)	Abdur Rasheed, Maulvi Md. ...	216	14
(52)	Abdulla-Al Mahmood, Mr. ...	1,304	13
(53)	Abdur Raschid Mahmood, Mr. ...	169	12
(54)	Abdur Rahman, Khan Bahadur A. F. M. ...	873	7
(55)	Abdul Majid, Mr. Syed ...	1,750	9
(56)	Abul Hashim, Maulvi ...	753	14
(57)	Muhammad Afzal, Khan Sahib Maulvi Syed	1,439	10
(58)	Mukherji, Dr. Sharat Chandra ...	136	1
(59)	Mukherji, Dr. H. C. ...	206	5

		Rs.	a.
(60)	Mozammel Huq, Maulvi Md. ...	1,292	11
(61)	Mullick, Mr. Pulin Behary ...	269	8
(62)	Muhammad Siddique, Khan Bahadur Dr. Syed	253	5
(63)	Muhammad Ishaque, Maulvi ...	118	14
(64)	Moslem Ali Mollah, Maulvi ...	161	8
(65)	Muhammad Israil, Maulvi ...	1,582	13
(66)	Mohsin Ali, Mr. Md. ...	118	12
(67)	Maiti, Mr. Nikunja Behari ...	258	15
(68)	Mafizuddin Ahmed, Dr. ...	131	6
(69)	Mandal, Mr. Amrita Lal ...	415	0
(70)	Roy, Rai Bahadur Kshirod Chandra ...	701	13
(71)	Morgan, Mr. G., C.I.E. ...	1,085	2
(72)	Mandal, Mr. Jagat Chandra ...	207	3
(73)	Mohammed Ali, Khan Bahadur ...	Nil	
(74)	Maji, Mr. Adwaita Kumar ...	393	0
(75)	Mahtab, Maharajkumar Uday Chand	(No bill has yet been drawn.)	
(76)	Maqbul Hosain, Mr. ...	184	7
(77)	Maniruddin Akhand, Maulvi ...	113	6
(78)	Maitra, Mr. Surendra Mohan ...	525	0
(79)	Mandal, Mr. Banku Behari ...	62	8
(80)	Zahur Ahmed Choudhury ...	1,262	1
(81)	Tofel Ahmed Choudhury, Maulvi Haji ...	281	10
(82)	Sinha, Srijut Manindra Bhusan ...	388	6
(83)	Zaman, Mr. A. M. A. ...	269	8
(84)	Singha, Babu Kshetra Nath ...	1,798	6
(85)	Rajibuddin Tarafdar, Maulvi ...	1,308	0
(86)	Ramizuddin Ahmed, Mr. ...	288	12
(87)	Nasarullah, Nawabzada K. ...	161	14
(88)	Ray Choudhury, Mr. Birendra Kishore ...	158	10
(89)	Roy, Mr. Manmatha Nath ...	189	0
(90)	Roy, Mr. Dhananjoy ...	162	14
(91)	Roy, Mr. Charu Chandra ...	184	8
(92)	Waliur Rahman, Maulvi ...	250	9
(93)	Sen, Rai Bahadur Jogesh Chandra ...	1,442	1

		Rs.	a.	p.
(94)	Sarkar, Babu Madhusudan ...	136	5	
(95)	Serajul Islam, Mr. ...	159	10	
(96)	Sadaruddin Ahmed, Mr. ...	216	0	
(97)	Sanyal, Dr. Nalinaksha ...	1,614	7	
(98)	Shahedali, Mr. ...	208	2	
(99)	Shamsuddin Ahmed, Mr. M. ...	663	14	
(100)	Kabiruddin Khan, Khan Bahadur Maulvi ...	205	15	
(101)	Khaitan, Mr. Debi Prosad ...	462	10	
(102)	Kumar, Mr. Atul Chandra ...	1,267	8	
(103)	Jonab Ali Majumdar, Maulvi ...	201	1	
(104)	Jalaluddin Ahmad, Khan Bahadur Maulvi ...	251	12	
(105)	Sanaullah, Dr. ...	7	8	
(106)	Kundu, Mr. Nishitha Nath ...	106	8	
(107)	Wordsworth, Mr. W. C.	(No bill drawn.)		
(108)	Roy, Mr. Kiran Sankar ...	Nil		

Distress for want of food and water in the Sadar Subdivision of Bankura.

434(A). Mr. KAMALKRISHNA ROY: (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that a major portion of the district of Bankura, particularly police-stations Gangajalghati, Barjora, Salbora, Indpur and Chatna, in the Sadar subdivision, is suffering from want of food and water;

(*ii*) that there have been one hundred typhoid cases within a month in the village Barjuri in police-station Gangajalghati with a population of 6 to 7 hundred;

(*iii*) that already a number of families are on starvation?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, have been or are proposed to be taken by the Government in the matter?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) (*i*) and (*iii*) Government understand that the greater portion of the Sadar subdivision of Bankura district is suffering from lack of rain and consequent poor outturn of crops.

(*ii*) Government have no information regarding the number of typhoid cases in the Barjuri village. It appears that the number of attacks and deaths from typhoid fever in police-station Gangajalghati with a population of 56,235 during the period from 9th April 1939, to 22nd April, 1939, was 54 and 1 respectively. There were no attacks during the period from November, 1938, to 8th April, 1939.

(*b*) A sum of Rs. 2,50,000 has been sanctioned for agricultural loans and Rs. 5,000 for gratuitous relief. Test works have been opened and the situation is being carefully watched by the local officers.

Srijut MANINDRA BHUSAN SINHA: Will the Hon'ble Minister be pleased to state whether there is distress in the greater portion of the Sadar subdivision due to failure of winter crops this year?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir.

Mr. DHIRENDRA NATH DATTA: Can the Hon'ble Minister deny the fact that people have died of starvation?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir, there was no death due to starvation.

Mr. KAMALKRISHNA ROY: With reference to answer (*a*) (*ii*), will the Hon'ble Minister be pleased to state what is the basis of his information regarding typhoid cases?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Vital statistics.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state the basis of his information that no people are starving?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: The report of the Collector.

Mr. KAMALKRISHNA ROY: Will the Hon'ble Minister be pleased to state if he is aware that the Collector and the Sadar Subdivisional Officer went to village Kanjiakura, police-station Chatna, recently and appointed a distress relief committee and have ordered the local union board to report who are starving and that a list has already been prepared and this report has already been published in several papers?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is only natural that the Collector should take these steps. In reply to question (*b*), it has been said that local officers are carefully watching the situation. So what is the point on which the honourable member wants information?

Mr. SPEAKER: He supports you.

Srijut MANINDRA BHUSAN SINHA: Will the Hon'ble Minister be pleased to state if he can give an idea of the average outturn of crops last year?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is very difficult for me to say off-hand.

Mr. SASANKA SEKHAR SANYAL: Since the Hon'ble Minister has referred to vital statistics, is he aware that only cases of death are reported in the vital statistics and not cases of suffering or disease?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, only deaths are reported in vital statistics and not attacks.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state how is he in a position to state the number of typhoid cases with reference to vital statistics?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: These facts must have been brought to the notice of the local officers by the District Board. District Boards, I am sure, are watchful and they keep information of serious epidemic diseases like this. As you are no doubt aware, it is the District Boards which are in charge of rural sanitation and medical relief and the information Government get is from that source.

Srijut MANINDRA BHUSAN SINHA: Will the Hon'ble Minister be pleased to state how can he say that Government have no information regarding the number of typhoid cases in the Barjuri village?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government have no information with regard to cases in that particular village. When there is no typhoid case, there cannot be any information.

The matter must have been referred to the District Board and this information has not been supplied on imaginary data.

Srijut MANINDRA BHUSAN SINHA: Will the Hon'ble Minister be pleased to state if he is aware that the District Board is already taking steps in the Barjuri village on account of the outbreak of typhoid?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I am not aware of it.

Mr. SASANKA SEKHAR SANYAL: Is the Hon'ble Minister aware that the question which was last put was put by a member who is himself the Chairman of the District Board?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, the District Board Chairman is here, and probably he is out of touch with the situation.

Srijut MANINDRA BHUSAN SINHA: With reference to answer (*b*) that a sum of Rs. 2,50,000 has been sanctioned for agricultural loan, will the Hon'ble Minister be pleased to state when was this sum sanctioned?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It was sanctioned, I think, in last March.

Srijut MANINDRA BHUSAN SINHA: Will the Hon'ble Minister be pleased to state how much of that sum has been distributed?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I have no information on that point.

Mr. SASANKA SEKHAR SANYAL: In view of the answer of the Hon'ble Minister that there is distress in this area, will the Hon'ble Minister be pleased to state whether it is ordinary distress or acute distress?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is ordinary distress.

Mr. SASANKA SEKHAR SANYAL: Is the Hon'ble Minister aware that there have been reports in the newspapers that the distress led to starvation in several families?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is newspaper propaganda, I repeat again.

Mr. DHIRENDRA NATH DATTA: Will the Hon'ble Minister be pleased to state the reason why he characterises this news as newspaper propaganda?

Mr. SPEAKER: That question does not arise.

Mr. SASANKA SEKHAR SANYAL: Will the Hon'ble Minister be pleased to state why there has been no contradiction by Government bulletin even?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Government ignore these things and take no notice of them.

UNSTARRED QUESTIONS

(answers to which were laid on the table)

Travelling, daily and conveyance allowances drawn by members of the Bengal Legislative Assembly.

193. Dr. SANAULLAH: Will the Deputy Speaker of the Bengal Legislative Assembly be pleased to state—

(*a*) the exact amount of money spent on account of the (*i*) conveyance, (*ii*) travelling and (*iii*) daily allowances of the members of the Bengal Legislative Assembly since the inauguration of the Provincial Autonomy (i.e., from the 1st April, 1937, to the 31st December, 1938); and

(*b*) the names of the members with their respective amount of the (*i*) conveyance, (*ii*) travelling and (*iii*) daily allowances?

Mr. M. ASHRAF ALI (Deputy Speaker):

		Rs.	a.
(*a*) (*i*)	.. .. ..	52,747	0
(*ii*)	.. .. ..	98,714	8
(*iii*)	.. .. ..	2,68,285	0

(*b*) A statement is laid on the table.

Statement referred to in the reply to clause (b) of unstarred question No. 193, showing travelling allowance, daily allowance and conveyance allowance, drawn by each of the following members for the period from April, 1937, to December, 1938.

Name of member.	Amount drawn.			Total.
	Travelling allowance.	Daily allowance.	Conveyance allowance.	
	Rs. a.	Rs. a.	Rs. a.	Rs. a.
(1) Griffiths, Mr. C. ..	Nil	Nil	245 0	245 0
(2) McGregor, Mr. G. G. ..	Nil	Nil	80 0	80 0
(3) Sassoon, Mr. R. M. ..	Nil	Nil	240 0	240 0
(4) Mahtab, Maharajkumar Uday Chand.	129 9	1,110 0	185 0	1,424 9
(5) Banerjee, Mr. Pramatha Nath	Nil	Nil	267 8	267 8
(6) Hamilton, Mr. K. A. ..	Nil	Nil	177 8	177 8
(7) Dutta Gupta, Miss Mira ..	Nil	Nil	222 8	222 8
(8) Gomes, Mr. S. A. ..	Nil	Nil	245 0	245 0
(9) Warren, Mr. P. F. S. ..	Nil	Nil	15 0	15 0
(10) Whitehead, Mr. R. B. ..	Nil	Nil	32 8	32 8
(11) Razaur Rahman Khan, Mr.	Nil	Nil	167 8	167 8
(12) Yousuf Mirza ..	Nil	Nil	235 0	235 0
(13) Abul Hossain Ahmed, Mr.	685 0	1,520 0	230 0	2,435 0
(14) Dass, Babu Debendra Nath	Nil	Nil	225 0	225 0
(15) Norton, Mr. H. R. ..	Nil	Nil	127 8	127 8
(16) Hasina Murshed, Mrs., M.B.E.	Nil	Nil	242 8	242 8
(17) Brasher, Mr. F. C. ..	Nil	Nil	235 0	235 0
(18) Basu, Mr. Santosh Kumar	Nil	Nil	230 0	230 0
(19) Bose, Mr. Sarat Chandra	Nil	Nil	217 8	217 8
(20) Chippendale, Mr. J. W. ..	Nil	Nil	237 8	237 8
(21) Mandal, Mr. Jogendra Nath	339 0	1,680 0	125 0	2,144 0
(22) Alfazuddin Ahmed, Khan Bahadur Maulvi.	207 7	1,440 0	232 8	1,879 15
(23) Banerjee, Dr. Suresh Chandra.	237 4	660 0	100 0	997 4
(24) Barat Ali, Mr. Md. ..	336 12	1,510 0	245 0	2,091 12
(25) Das, Babu Mahim Chandra	564 0	1,550 0	242 8	2,356 8
(26) Abdul Hafeez, Khan Bahadur Syed.	447 0	1,560 0	125 0	2,132 0
(27) Ahmed Khan, Mr. Syed ..	613 6	1,560 0	240 0	2,413 6
(28) Sirdar, Babu Litta Munda	397 14	910 0	97 8	1,405 6
(29) Das Gupta, Babu Khagendra Nath.	559 0	1,490 0	232 8	2,281 8
(30) Mahtabuddin Ahmed, Khan Bahadur Maulvi.	401 8	1,510 0	242 8	2,154 0
(31) Ahmed Ali Mridha, Maulvi	231 7	1,560 0	255 0	2,046 7
(32) Muhammad Ibrahim, Maulvi	562 10	1,480 0	235 0	2,277 10
(33) Giasuddin Ahmed, Mr. ..	425 8	1,320 0	212 8	1,958 0
(34) Shahabuddin, Mr. Khwaja, C.B.E.	524 6	1,520 0	125 0	2,169 6

Name of member.	Amount drawn.			Total.
	Travelling allowance.	Daily allowance.	Conveyance allowance.	
	Rs. a.	Rs. a.	Rs. a.	Rs. a.
(35) Rahman, Khan Bahadur A. M. L.	419 12	1,480 0	232 8	2,132 4
(36) Asimuddin Ahmed, Mr. ..	493 0	1,560 0	245 0	2,298 0
(37) Shamsul Huda, Maulana	568 9	1,480 0	215 0	2,263 9
(38) Campbell, Sir George	Nil	Nil	205 0	205 0
(39) Hawkins, Mr. R. J.	Nil	Nil	27 8	27 8
(40) Millar, Mr. C.	Nil	Nil	245 0	245 0
(41) Kennedy, Mr. I. G	Nil	Nil	120 0	120 0
(42) Abul Quasem, Maulvi	Nil	Nil	240 0	240 0
(43) Ispahani, Mr. M. A H.	Nil	Nil	220 0	220 0
(44) Maguire, Mr. L T.	Nil	Nil	205 0	205 0
(45) Walker, Mr. W. A. M. ..	Nil	Nil	117 8	117 8
(46) Abdul Kader, Mr. (*alias* Lal Meah)	356 8	1,670 0	122 8	2,149 0
(47) Roy, Mr Kiran Sankar	Nil	Nil	217 8	217 8
(48) Homan, Mr. F. T	Nil	Nil	120 0	120 0
(49) Hirtzel, Mr. M. A. F	Nil	Nil	157 8	157 8
(50) Bell-Hart, Miss P B.	74 4	Nil	27 8	101 12
(51) Paul, Sir Hari Sankar	Nil	Nil	207 8	207 8
(52) Nooruddin, Mr K.	Nil	Nil	180 0	180 0
(53) Mookerjee, Dr. Syamaprasad.	Nil	Nil	87 8	87 8
(54) Naskar, Mr. Hem Chandra	Nil	Nil	237 8	237 8
(55) Goswami, Mr. Tulsi Chandra	Nil	Nil	147 8	147 8
(56) Blomenstock, Mr. L. M.	Nil	Nil	32 8	32 8
(57) Patton, Mr W C	675 15	1,130 0	185 0	1,990 15
(58) Jalan, Mr. I. D.	Nil	Nil	37 8	37 8
(59) Walker, Mr. J. R	Nil	Nil	147 8	147 8
(60) Farhad Reza Chowdhury, Mr. M.	433 8	1,530 0	237 8	2,201 0
(61) Abdul Majid, Maulvi	422 0	1,560 0	245 0	2,227 0
(62) Abdul Hakim Vikrampuri, Maulvi Md.	621 0	1,550 0	225 0	2,396 0
(63) Abdul Hafiz, Mr. Mia	574 10	1,510 0	212 8	2,297 2
(64) Mullick, Srijut Ashutosh ..	333 0	1,560 0	245 0	2,138 0
(65) Mandal, Mr. Krishna Prasad	157 10	1,460 0	227 8	1,845 2
(66) Gupta, Mr. J N.	189 0	1,510 0	245 0	1,944 0
(67) Ghose, Mr. Atul Krishna	218 4	1,550 0	245 0	2,013 4
(68) Farhat Bano Khanam, Begum.	524 5	1,510 0	125 0	2,159 5
(69) Dolui, Mr. Harendra	331 8	1,510 0	225 0	2,066 8
(70) Datta, Mr. Dhirendra Nath	334 8	1,550 0	232 8	2,117 0
(71) Das Gupta, Srijut Narendra Nath.	385 5	1,520 0	242 8	2,147 13
(72) Biswas, Babu Lakshmi Narayan.	222 13	1,520 0	230 0	1,972 13
(73) Chakravarty, Mr. Jatindra Nath.	619 8	1,480 0	242 8	2,342 0
(74) Biswas, Mr. Rasik Lal ..	235 5	1,355 0	192 8	1,782 13
(75) Chattopadhyaya, Mr. Haripada.	168 12	1,560 0	245 0	1,973 12
(76) Mandal, Mr. Birat Chandra	736 0	1,830 0	282 8	2,848 8
(77) Hatemally Jamadar, Khan Sahib Maulvi.	340 8	1,560 0	242 8	2,143 0
(78) Mal, Mr. Iswar Chandra ..	171 6	1,450 0	230 0	1,851 6
(79) Mafizuddin Ahmed, Maulvi	231 3	440 0	60 0	731 3
(80) Mukerji, Mr. Dhirendra Narayan.	424 12	Nil	162 8	587 4

Name of member.	Amount drawn.			Total.
	Travelling allowance.	Daily allowance.	Conveyance allowance.	
	Rs. a.	Rs. a.	Rs. a.	Rs. a.
(81) Bhawmik, Dr. Gobinda Chandra.	267 4	1,520 0	235 0	2,022 4
(82) Abdul Hamid, Mr. A. M.	524 3	1,540 0	255 0	2,319 3
(83) Abdul Jabbar Maulvi ..	492 10	1 500 0	237 8	2,230 2
(84) Mazumdar, Mr. Birendra Nath.	596 5	1,580 0	122 8	2,298 13
(85) Jasimuddin Ahmed, Mr. ..	69 1	1,290 0	245 0	1,604 1
(86) Khan, Mr. Debendra Nath	121 12	1,250 0	205 0	1,576 12
(87) Abdul Wahab Khan, Mr. ..	424 7	1,590 0	247 8	2,261 15
(88) Abdul Wahed, Maulvi ..	454 8	1,560 0	242 8	2,257 0
(89) Abdul Jabbar Palwan, Mr. Md.	401 6	1,285 0	177 8	1,863 14
(90) Abdul Aziz, Maulana Md. ..	503 8	1,590 0	117 8	2,211 0
(91) Salim, Mr. S. A. ..	604 11	1,500 0	245 0	2,349 11
(92) Roy, Mr. Kishori Pati ..	163 4	1,510 0	242 8	1,915 12
(93) Abdur Razzak, Maulvi .	507 0	1,255 0	185 0	1,947 0
(94) Muhammad Solaiman, Khan Sahib Maulvi.	51 0	1,550 0	245 0	1,846 0
(95) Hasan Ali Chowdhury, Mr. Syed.	491 2	1,530 0	242 8	2,263 10
(96) Maniruzzaman Islamabadi, Maulana Md.	603 15	1,560 0	242 8	2,406 7
(97) Thakur, Mr. Pramatha Ranjan.	405 2	1,510 0	233 0	2,148 2
(98) Shamsuddin Ahmed Khundkar, Mr.	248 3	1,510 0	242 8	2,000 11
(99) Maiti, Mr. Nikunja Behari	321 4	1,270 0	207 8	1,798 12
(100) Hamiduddin Ahmed, Khan Sahib.	815 10	1,380 0	222 8	2,418 2
(101) Emdadul Haque, Kazi ..	567 14	1,470 0	222 8	2,260 6
(102) Moslem Ali Mollah, Maulvi	384 0	1,520 0	240 0	2,144 0
(103) Roy, Mr. Patiram .	236 8	1,560 0	240 0	2,036 8
(104) Sen, Babu Narendra Nath	240 10	1,490 0	205 0	1,935 10
(105) Singha, Babu Kshetra, Nath.	1,123 10	2,120 0	362 8	3,606 2
(106) Mohammed Ali, Khan Bahadur.	414 11	1,470 0	245 0	2,129 11
(107) Fazlul Quadir, Khan Bahadur Maulvi.	544 9	1,450 0	235 0	2,229 9
(108) Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagachha, Mymensingh.	806 8	1,440 0	132 8	2,379 0
(109) Crosfield, Mr. L. M. .	493 7	1,090 0	187 8	1,770 15
(110) Mullick, Mr. Pulin Behary	142 0	40 0	297 8	479 8
(111) Abdul Hakim Maulvi ..	1,095 11	2,010 0	325 0	3,430 11
(112) Roy, Mr. Kamalkrishna ..	281 12	1,560 0	245 0	2,086 12
(113) Das, Rai Sahib Kirit Bhusan.	520 5	1,540 0	242 8	2,302 13
(114) Abdul Latif Biswas, Maulvi	1,397 5	2,030 0	342 8	3,769 13
(115) Ray Chaudhury, Mr. Birendra Kishore.	643 2	1,490 0	122 8	2,255 10
(116) Abdul Majid, Mr. Syed ..	1,246 8	2,160 0	332 8	3,739 0
(117) Sinha, Srijut Manindra Bhusan.	682 6	1,475 0	257 8	2,414 14
(118) Abdul Hamid Shah, Maulvi	612 5	1,535 0	210 0	2,357 5
(119) Hasanuzzaman, Maulvi Md.	829 12	1,560 0	255 0	2,644 12
(120) Abdul Hafiz, Mr. Mirza ..	1,255 3	2,020 0	320 0	3,595 3

Name of member.	Amount drawn.			Total.
	Travelling allowance.	Daily allowance.	Conveyance allowance.	
	Rs. a.	Rs. a.	Rs. a.	Rs. a.
(121) Sanyal, Dr. Nalinaksha ..	749 12	2,390 0	382 8	3,522 4
(122) Abdur Rauf, Khan Sahib, Maulvi.	829 9	40 0	157 8	1,027 1
(123) Mukherji, Dr. Sharat Chandra.	336 10	1,510 0	240 0	2,086 10
(124) Zahur Ahmed Choudhury, Maulvi.	1,128 9	1,810 0	265 0	3,203 9
(125) Chakrabarty, Babu Narendra Narayan.	559 12	1,505 0	222 8	2,287 4
(126) Kabiruddin Khan, Khan Bahadur Maulvi.	549 11	1,300 0	240 0	2,089 11
(127) Wahur Rahman, Maulvi	487 6	1,320 0	255 0	2,062 6
(128) Yusuf Ali Choudhury, Mr.	298 11	1,510 0	240 0	2,048 11
(129) Mafizuddin Ahmed, Dr. .	619 8	1,510 0	247 8	2,377 0
(130) Anwarul Azim, Khan Bahadur Md.	268 12	140 0	20 0	428 12
(131) Mandal, Mr. Jagat Chandra	884 5	1,460 0	242 8	2,586 13
(132) Mandal, Mr. Amrita Lal .	770 1	1,460 0	242 8	2,472 9
(133) Mafizuddin Choudhury, Maulvi.	303 8	1,520 0	237 8	2,061 0
(134) Abdur Rauf, Mr. Shah ..	1,084 4	1,830 0	298 0	3,212 4
(135) Amir Ali Mia, Maulvi Md.	315 10	1,630 0	114 8	2,060 2
(136) Barma, Mr. Puspajit	708 8	1,490 0	250 0	2,448 8
(137) Barman, Babu Shyama Prosad.	542 0	1,440 0	237 8	2,219 8
(138) Abul Fazl, Mr. Md. .	644 9	1,600 0	250 0	2,494 9
(139) Shahedali, Mr. .	792 5	1,640 0	120 0	2,552 5
(140) Bannerjee, Mr. Manoranjan	905 10	2,220 0	210 0	3,335 10
(141) Banerji, Mr. Satya Priya	720 10	1,560 0	257 8	2,538 2
(142) Gupta, Mr. Jogesh Chandra	Nil	Nil	252 8	252 8
(143) Roy, Mr. Dhananjoy ..	738 8	1,520 0	242 8	2,501 0
(144) Biswas, Mr. Surendra Nath	933 3	2,000 0	322 8	3,255 11
(145) Das, Mr. Monmohan ..	609 10	1,580 0	247 8	2,437 2
(146) Banerji, Mr. P.	148 12	1,560 0	245 0	1,953 12
(147) Azhar Ali, Maulvi ..	536 8	1,660 0	265 0	2,461 8
(148) Gurung, Mr. Damber Singh	779 1	1,260 0	440 0	2,479 1
(149) Edbar, Mr. Upendranath	372 10	1,570 0	237 8	2,180 2
(150) Dutta, Mr. Sukumar ..	585 4	910 0	117 8	1,612 12
(151) Mozammel Huq, Maulvi Md.	1,148 4	2,130 0	335 0	3,613 4
(152) Aulad Hossain Khan, Maulvi.	468 14	1,510 0	232 8	2,211 6
(153) Safiruddin Ahmed, Haji	452 0	1,530 0	240 0	2,222 0
(154) Morgan, Mr. G., C.I.E. ..	1,386 3	1,690 0	287 8	3,363 11
(155) Aminullah, Khan Sahib Maulvi.	686 11	1,580 0	245 0	2,511 11
(156) Fazlur Rahman, Mr. (Dacca).	1,366 14	1,700 0	272 8	3,339 6
(157) Khaitan, Mr. Debi Prosad	282 10	60 0	270 0	612 10
(158) Das, Babu Radhanath ..	298 0	1,580 0	247 8	2,125 8
(159) Abdus Shaheed, Maulvi Md.	653 12	1,480 0	247 8	2,381 4
(160) Mustafa Ali Dewan, Maulvi	537 8	1,075 0	112 8	2,325 0
(161) Mukherjee, Mr. B. .	197 12	1,430 0	227 8	1,855 4
(162) Sarkar, Babu Madhusudan	336 2	1,590 0	245 0	2,171 2
(163) Hafizuddin Chowdhury, Maulvi.	461 8	1,480 0	237 8	2,179 0

Name of member.	Amount drawn.			Total.
	Travelling allowance.	Daily allowance.	Conveyance allowance.	
	Rs. a.	Rs. a.	Rs. a.	Rs. a.
(164) Ahmed Ali Enayetpuri, Khan Bahadur Maulana.	375 2	1,490 0	250 0	2,115 2
(165) Hashem Ali Khan, Khan Bahadur Maulvi.	734 14	1,430 0	215 0	2,379 14
(166) Maniruddin Akhand, Maulvi.	431 2	1,320 0	215 0	1,966 0
(167) Abdulla-Al Mahmood, Mr	961 13	2,010 0	330 0	3,301 13
(168) Muhammad Siddique, Khan Bahadur Dr. Syed.	490 3	1,520 0	245 0	2,255 3
(169) Fazlur Rahman (Muktear), Mr.	929 9	1,960 0	277 8	3,167 1
(170) Abdur Rasheed, Maulvi Md.	430 5	1,535 0	227 8	2,192 13
(171) Abdur Raschid Mahmood, Mr.	531 13	1,540 0	255 0	2,326 13
(172) Jalaluddin Hashemy, Mr. Syed.	335 5	1,550 0	240 0	2,125 5
(173) Sanyal, Mr. Sasanka Sekhar.	209 9	1,540 0	227 8	1,977 1
(174) Jalaluddin Ahmad, Khan Bahadur Maulvi.	745 15	1,180 0	112 8	2,038 7
(175) Idris Ahmed Mia, Maulvi	520 7	1,420 0	245 0	2,185 7
176) Das Gupta, Dr. J. M.	Nil	Nil	137 8	137 8
177) Roy, Rai Bahadur Kshirod Chandra.	728 10	1,565 0	122 8	2,416 2
(178) Kazem Ali, Mirza, Shahibzada Kawan Jah Syed.	217 4	1,150 0	97 8	1,464 12
(179) Steven, Mr. J. W. R. ..	Nil	Nil	217 8	217 8
(180) Mohsin Ali, Mr. Md .	308 8	1,550 0	240 0	2,098 8
(181) Kundu, Mr Nishitha Nath	558 10	1,450 0	237 8	2,246 2
(182) Jonab Ali Majumdar, Maulvi.	591 1	1,250 0	225 0	2,066 1
(183) Mustagawsal Haque, Mr. Syed.	221 0	1,560 0	237 8	2,018 8
(184) Majumdar, Mrs. Hemaprova.	509 0	1,560 0	235 0	2,304 0
(185) Nasarullah, Nawabzada K.	737 1	1,520 0	130 0	2,387 1
(186) Serajul Islam, Mr. ..	212 1	1,570 0	242 8	2,024 9
(187) Ramizuddin Ahmed, Mr.	937 10	1,540 0	255 0	2,732 10
(188) Sen, Rai Bahadur Jogesh Chandra.	599 9	2,180 0	335 0	3,114 9
(189) Abul Hashim, Maulvi ..	630 12	1,720 0	274 8	2,625 4
(190) Muhammad Israil, Maulvi	1,110 10	2,330 0	367 8	2,808 2
(191) Sanaullah, Dr. ..	Nil	Nil	245 0	245 0
(192) Maji, Mr. Adwaita Kumar	397 11	1,550 0	280 0	2,227 11
(193) Basu, Mr. Jatindra Nath	Nil	Nil	192 8	192 8
(194) Tofel Ahmed Choudhury, Maulvi Haji.	873 10	1,480 0	230 0	2,583 10
(195) Tapuriah, Rai Bahadur Moongtu Lall.	Nil	Nil	137 8	137 8
(196) Banerjee, Mr. Sibnath ..	Nil	Nil	235 0	235 0
(197) Roy, Mr. Manmatha Nath	139 0	40 0	255 0	434 0
(198) Mukherji, Dr. H. C. ..	141 5	20 0	250 0	411 5
(199) Pain, Mr. Barada Prosanna	363 0	Nil	220 0	583 0
(200) Zaman, Mr. A. M. A. ..	142 0	40 0	272 8	454 8
(201) Abdur Rahman, Khan Bahadur A. H. M.	258 3	1,970 0	302 0	2,530 11
(202) Muhammad Afzal, Khan Sahib Maulvi Syed.	721 10	1,910 0	320 0	2,951 10

Name of member.	Amount drawn.			Total.
	Travelling allowance.	Daily allowance.	Conveyance allowance.	
	Rs. a.	Rs. a.	Rs. a.	Rs. a.
(203) Roy, Mr. Charu Chandra	619 0	1,190 0	172 8	1,981 8
(204) Rajibuddin Tarafdar, Maulvi.	1,284 2	1,880 0	292 8	3,456 10
(205) Aftab Hossain Joardar, Maulvi.	410 10	2,070 0	332 8	2,813 2
(206) Sur, Mr. Harendra Kumar	488 3	1,430 0	220 0	2,138 3
(207) Mandal, Mr. Banku Behari	257 10	1,530 0	242 8	2,030 2
(208) Kumar, Mr. Atul Chandra	1,103 3	1,950 0	315 0	3,368 3
(209) Abdur Rahman Siddiqi, Mr.	Nil	Nil	225 0	225 0
(210) Abidur Reza Chowdhury, Khan Bahadur Maulvi.	799 15	1,400 0	212 8	2,412 7
(211) Masud Ali Khan Panni, Maulvi.	228 0	890 0	117 8	1,235 8
(212) Muhammad Ishaque, Maulvi.	513 1	1,510 0	247 8	2,270 9
(213) Sadaruddin Ahmed, Mr	582 1	1,560 0	247 8	2,389 9
(214) Maqbul Hosain, Mr.	729 7	1,570 0	212 8	2,511 15
(215) Pramanik, Mr. Tarini-charan.	441 5	1,530 0	245 0	2,216 5
(216) Abdul Karim, Mr.	610 7	1,510 0	245 0	2,365 7
(217) Ahmed Hosain, Mr.	661 11	1,900 0	305 0	2,866 11
(218) Barma, Babu Prembari	778 0	1,710 0	277 8	2,765 8
(219) Maitra, Mr. Surendra Mohan.	564 8	1,480 0	240 0	2,284 8
(220) Dutta Mazumdar, Mr. Niharendu.	126 6	280 0	185 0	591 6
(221) Bannerman, Mr H C	Nil	Nil	240 0	240 0
(222) Wordsworth, Mr. W. C.	Nil	Nil	232 8	232 8
(223) Tamizuddin Khan, Mr.	593 8	1,700 0	280 0	2,573 8
(224) Shamsuddin Ahmed, Mr. M	501 0	1,930 0	290 0	2,721 0
(225) Abu Hossain Sarkar, Maulvi	415 4	1,380 0	265 0	2,060 4
(226) Barman, Babu Upendra Nath.	673 9	1,490 0	242 8	2,406 1
(227) Das, Mr. Anukul Chandra	143 3	40 0	320 0	503 3
(228) Aftab Ali, Mr.	Nil	Nil	219 8	219 8
(228A) Miles, Mr. C. W. (since resigned).	Nil	Nil	95 0	95 0
(228B) Ross, Mr. J. B. (since resigned).	Nil	Nil	135 0	135 0
(228C) Milne Robertson, Mr. C. E. L. (since resigned).	Nil	Nil	65 0	65 0
(228D) Anderson, Mr. J. P (since resigned).	Nil	Nil	85 0	85 0
(229) Hendry, Mr D	Nil	Nil	180 0	180 0
(229A) Ferguson, Mr. R. H. (since resigned).	694 14	870 0	137 8	1,702 6
(229B) Nawab Sir K. G. Faroqui (since resigned).	235 2	220 0	50 0	505 2
(229C) Haywood, Mr. Rogers (since resigned).	Nil	Nil	182 8	182 8
(229D) Armstrong, Mr. W. L. (deceased).	Nil	Nil	170 0	170 0
(230) Choudhury, Rai Harendra Nath.	Not drawn.	Not drawn.	Not drawn.	Not drawn.

Name of member.	Amount drawn.			Total.
	Travelling allowance.	Daily allowance.	Conveyance allowance.	
	Rs. a.	Rs. a.	Rs. a.	Rs. a.
(230A) Himatsinka, Mr. Prabhudoyal (since resigned).	Nil	Nil	150 0	150 0
(231) Abdul Bari, Maulvi ..	657 8	2,170 0	332 8	3,160 0
(232) Abdul Hakeem, Mr. ..	523 3	1,720 0	260 0	2,503 3
(233) Smith, Mr. H. Brabant ..	Not drawn.	Not drawn.	Not drawn.	Not drawn.
(234) Clark, Mr. I. A. ..	Not yet drawn.	Not yet drawn.	Not yet drawn.	Not yet drawn.
(235) Golam Sarwar Hosaini, Mr. Shah Syed.	1,465 8	1,710 0	277 8	3,453 0
(236) Ashrafali, Mr. M. (Deputy Speaker).	96 7	Nil	Nil	96 7
(237) Gyasuddin Ahmed Choudhury, Alhadj.	435 8	1,310 0	212 8	1,958 0
Grand Total ..	98,714 8	2,68,285 0	52,747 0	4,19,746 8

Presentation of the Report of the Committee of Privileges.

Mr. SPEAKER: On behalf of the Committee of Privileges as its Chairman I beg to present the Report of the Committee of Privileges with a draft Powers and Privileges Bill and the Statement of Objects and Reasons, annexed.

GOVERNMENT BILL.

The Calcutta Municipal (Amendment) Bill.

Mr. SPEAKER: We shall now resume discussion on the Calcutta Municipal (Amendment) Bill.

Dr. NALINAKSHA SANYAL: May we have some respite to discuss about the Money-lenders Bill?

Mr. SPEAKER: Yes; you will have some respite, but not now.

Mr. C. GRIFFITHS: Mr. Speaker, Sir, in increasing the House from 92 to 98 and decreasing our seats from four to two, I find that the principle underlying the Bill appears to be the principle of resentment and retaliation for the past, and not of justice in the present nor for the future.

The Nawab Bahadur of Dacca aims at reducing and confining the Anglo-Indian community to a two per cent. minority in the Calcutta Corporation. What hope have we of further improvement? With our youths now stirred to the depths over the Reforms, and better equipped with University training, is their progress thus to be retarded?

The Nawab Bahadur ignores our educational and other qualifications, but conveniently considers our numbers. Reasoning like this is futile and mischievous. No man, worthy of being called a leader, can, under such conditions, relinquish the claims of his community.

Our educational qualifications alone, if nothing else, should give us a clear representation of 10 per cent. in the Calcutta Corporation, apart from the fact that the majority of us pay over Rs. 25 per month for house rent.

The following facts are well known to the members of the House. Territorial seats divided under three categories would be as follows:—

	I Population.	II Voters.	III Taxes paid.
	Per cent. Seats.	Per cent. Seats.	Per cent. Seats.
Hindus ..	73·6=51	77=55	82·5=58
Muslims ..	25·0=18	13= 9	5·0= 5
Anglo-Indians and Domiciled Europeans.	1·4= 2	10= 7	12·5= 9
	100 =71	100=71	100 =71

Again, it is a common practice among the Hindu and Muslim landlords to pay the occupier's share of taxes in their own names and not in the name of their Anglo-Indian or Domiciled European tenants, so our real percentage should be much higher in categories 2 and 3. Even if the European weightage for our territorial seats is to be refused, so that the Europeans may better consolidate their position in the Special Constituencies, still as we are situated, we contribute four to five times as many voters than the Hindus and Muslims do, on a cent. per cent. basis, and have accordingly made a greater advancement in proportion to our numbers than the others and, therefore, we are deserving of more generous consideration. It was due to this fact that the Government of India Act, 1935, compiled by the best brains of both England and India, allowed us weightage.

There are in all about 78,020 voters while there are about 1,118,714 non-voters. Now, let us see if the Corporation works on a population basis or considers other more important factors. Approximately 98 seats would mean that about 800 voters are represented by one Councillor. Does the House seriously think that we have only 1,600 voters and the Minister is therefore justified in offering us two seats? If so, I shall vote in favour of this Bill with my colleagues here. But you cannot justly make us pay our taxes and then ignore our claims (cheers). Again, let us examine the following:—

Ward Nos.	Locality.	Voters.	Seats.	One Councillor representing.
20	Beniapukur	1,737	4	434 voters.
28	Balliaghatta	1,876	5	375 voters.
31	Satpukur	1,070	3	356 voters.
30	Belgachia	1,047	3	349 voters

Here we find 15 Councillors, each representing on an average 382 voters, from 349 to 434. Now in Wards 10 Bowbazar, 13 Fenwick Bazar, 14 Taltolla, 15 Kalinga and 19 Entally we have a population of over 2,000 to 2,300 in each locality. And surely we have between 349 to 434 voters to entitle us to a seat at each of these wards which should give us five seats.

Again, on this basis, in Wards 11, 12, 20, 24 and 30, that is, at Puddapukur, Beniapukur, Waterloo Street, Belgachia and Alipur, we are strongly represented, and if those who are born in the country were to register as Anglo-Indians according to the Act, instead of as Europeans, we could claim another five seats.

With an incorrect population of 16,728 and one not in our favour we are dealt with and given our quota. But by the voters' list where we can safely claim six seats with about 4,800 voters this is set aside.

Again, my constituency consisted of 6,506 voters in Calcutta during the recent elections. Surely ⅔ths of these voters are eligible to be voters in the Calcutta Corporation. This supports my claim to six seats as I just stated. But the Nawab Bahadur, bent on crushing us, brings into action the army of 1,118,714 non-voters and annihilates my community. Is this not arbitrary, overruling and despotic?

To add to his imperishable glory, why does he not suggest that this invincible army of his should appoint the Councillors, and then by

reinforcements from the country displace the Hindus! Must the Anglo-Indians only be subjected to the treatment of one who adopts the tactics of Don Quixote?

The Nawab Bahadur might have had some regard for the opinion of his Chief, the Hon'ble Mr. Fazlul Huq, who recently said, "No one can for a moment doubt the importance of the great Anglo-Indian community as an integral part of progressive India".

By destroying us, does the Nawab Bahadur hope to make progress more rapid for Bengal? Certainly not.

He should remember that we have the same divine right as other communities, if not greater, to share in the welfare and administration of this country. If the Bill is passed, it will indeed be the blackest spot in the history of the Huq Ministry, for here the majority deliberately crushes a deserving and useful minority. Truly did Pascal say "Power without justice is tyranny" God help the minorities!

There can be no greater evil among legislators than a Bill framed with injustice, where communalism guides the boon, and malevolence refuses what is due.

What confidence can we have in a Minister who has one standard for the European, another for the Anglo-Indian, a third for the Hindu, and yet a fourth for the Moslem! The stronger bond of a civilised people is justice, for their strength is based on justice alone

I oppose the Bill as it is arbitrary, unfair, unreasonable and unjust. It is iniquitous It destroys a principle by sacrificing national efficiency for communalism.

(Cheers from the Opposition Benches.)

Mr. MONMOHAN DAS: Mr Speaker, Sir, with a deep sense of regret I submit this is the first opportunity when I have been allowed to take part in the discussion on the Calcutta Municipal Amendment Bill of 1939. I am sure that my appeal for equity and justice, for fairness and impartiality will be a cry in the wilderness, but still I think it my duty to raise my voice as a protest against the principle of the Government which is pernicious and detrimental to the interests of the Scheduled Castes. Sir, no sound and fair principle has at all been adopted. It is simply a rush game between two bigger parties taking the Scheduled Castes as the toys of Bengal.

It is really wonderful on the part of the Scheduled Castes that the Government with a view to satisfy some favourite members of this House has adopted the pernicious system which is against the terms of the Poona Pact, which the Scheduled Castes are bound by the sacred agreement to fight to the last against the evil done to-day.

There has been from the very outset a strong rumour both inside and outside the House that the Calcutta Municipal (Amendment) Bill is the vital question of the day, taking Scheduled Castes as the common factor of the topic. I do submit without fear of contradiction that the Calcutta Municipal (Amendment) Bill is a fight between the Congress and the Muslim League, both taking advantage of the Scheduled Castes.

At present the position is that the Provincial Legislature has practically gone under the control of the Muhammadan community, as 56 per cent. of the population are Muhammadans and only 43 per cent of the population are Hindus. It is quite natural therefore for the majority to dictate terms and to control the provincial administration. But in Calcutta, where the Hindus are in a preponderating majority, it is simply a dream for the minority to think of dictating terms and controlling the Calcutta Corporation. With a view to turn the dream into practice and to satisfy the party which is supporting the present Cabinet, Government have adopted a policy which is not fair and which is partial.

So far as the original Bill was concerned, 22 seats were allotted for the Muhammadans who form 25 per cent. of the population, 46 seats for the Hindus, who form 72 per cent. of the population, including the 7 reserved seats for the Scheduled Castes, 2 seats for Labour, and 2 seats for Anglo-Indians who form 3 per cent. of the population, and 12 seats for the Special Constituencies, making a total of 84 seats, excluding 10 nominated seats.

Had it been done on the population basis and on a fair and impartial principle, Government would have allotted 62 seats for the Hindus, *i.e.*, for the General Constituencies out of which 4 seats could have been reduced for Labour and for Anglo-Indians for the reasons given by my honourable friend Mr. Surendra Nath Biswas on the floor of this House at the time of the general discussion. Sir, as a result of the vehement protest of my Congress friends against the injustice done to the Hindu community, I understand that the Government—with a view to satisfying specially the Hindu Ministers and also some Hindu friends—have increased the General seats from 46 to 47, doing thereby serious injustice to the Scheduled Castes. Under the original Bill the Scheduled Castes would have got 7 seats with joint electorate and at least 1 seat out of the 10 seats reserved for nomination. But by the subsequent amendment, 4 seats have been reserved with joint electorate and 3 seats have been transferred to the General Constituencies. I understand out of 10 nominated seats, 2 seats have been deducted and 3 seats have been reserved for the Scheduled Castes as nominated seats. Now, the Government have introduced a system of representation for the community which it does not want and which it cannot support, and which is most undemocratic. This injustice has

been done in order to please some Scheduled Caste members at the expense of the whole community. The pernicious system of nomination adopted by the Ministers on the advice of one-third of the Scheduled Caste members would really be condemned by all reasonable people. My friend Mr. Rasik Lal Biswas of the Congress Party has made it clear by his amendment that the system of nomination is not the proper representation of a particular class or community. The nominated members will have to work simply at the instance of the Government.

So far as our position is concerned, we feel, having regard to all the circumstances, we have been put in between Scylla and Charybdis. We are going to be reduced to pulp between two crushing machines.

I may add that by way of subsequent amendments moved by Mr. K. Shahabuddin 4 seats have been reserved in wards Nos. 3, 18, 19 and 32, and I should say that this has been done solely with the interests of Government in view. All the seats from wards Nos. 1, 4, 8, 9 and 28 have been withdrawn in the interests of the Caste Hindus.

So far as I remember from the very introduction of the Calcutta Municipal (Amendment) Bill there has been a hue and cry from the Congress group and especially from my Hindu friends that they are going to make vehement protest against the Bill, but I find after the subsequent amendments of my honourable friend Mr. K. Shahabuddin the atmosphere has changed and there is no longer heard any loud protest. Of course, my friends of the Congress group are still opposing, but they are opposing for opposition's sake, or I should say on principle they are opposing it. They have no motive of doing justice to the Scheduled Castes. If they had any, they could have surrendered 3 seats for the Scheduled Castes in their General Constituencies. Sir, it is evident from all I have said why both Government and the Congress are anxious for the interests of the Scheduled Castes. It is nothing but an attempt on their part to further their own interests at the expense of the Scheduled Castes.

Further, the Government have adopted the policy of giving weightage to the Muhammadan community who have been allowed more seats than they deserve. But is there any justification on the part of Government to woefully neglect Scheduled Castes and to curtail the demand which they can legitimately claim? Is there any justification on the part of Government to interfere with the interests of the Hindus in the Calcutta Corporation where they are in a majority, and to allow the minority to rule over the majority? In this respect I would like to refer to a statement made by the Hon'ble Nawab Bahadur of Dacca. He said that the Scheduled Caste mebers did not want separate electorate and so on. I should say that the statement made by him was unfounded, untrue and absolutely baseless. Is it not a fact that a majority of the Scheduled Caste members of this House told the Hon'ble

Chief Minister that they wanted separate electorate to safeguard their own vital interests? Their case has been deliberately ignored.

From all these facts it is clear that the Government policy is not fair and is partial. There are also some Scheduled Caste friends of mine in the Coalition Party. May I refer to the statement of my friend Mr. Pulin Behary Mullick? I should say that we are here to serve the community and to serve the country. We are not here to get any personal benefit by the backdoor of nomination.

(Here the member having reached the time-limit, resumed his seat.)

Mr. W. A. M. WALKER: Mr. Speaker, Sir, I rise to support the motion for the third reading of this Bill. In congratulating the Hon'ble Minister on having successfully piloted this Bill so far, I should like to sympathise with him in the arduous and wearisome task he has had to perform and to express the hope that the Bill, if enacted, will result in an improvement in the elected members of the Corporation for the ultimate benefit of the citizens of this city. The attitude of my party to separate electorate was made clear by Sir George Campbell at the outset of the debate on this Bill, and we have accordingly given Government our consistent support on this question.

As this House is aware, when the Bill emerged from the Select Committee, my party signified its approval of the provisions made therein for General Constituencies. On mature reflection, however, we come to the conclusion that perhaps adequate representation had not been given to caste Hindus and we accordingly exerted ourselves wholeheartedly in order to rectify this.

I should now like to deal with the question of the Bengal Chamber of Commerce and Calcutta Trades Association seats. It is a coincidence that in his last speech in this House Sir George Campbell should have had occasion to speak on this question. He dealt, during the course of his speech, with an attack made on the European community from the benches on my right, and I find myself to-night in my first speech as Leader of the European Party in a similar position.

On the motions for reduction of the Bengal Chamber of Commerce and the Calcutta Trades Association seats in the Corporation, Dr. Sanyal saw fit to make an attack on the European representation in the Corporation which can only be described as utterly unfair and unwarranted (Cries of "Hear! hear!" from the European Benches) and his reference to a "set of idiots" can be described mildly as in extremely bad taste.

In the first place, we maintain that we are rightly entitled to our present numbers in the Corporation by virtue of our substantial contribution as rate-payers, a contribution totalling, I believe, some 18 per

cent. of the consolidated rate. We also pay substantial taxes on trades and professions, and we represent large industries here employing a vast number of labourers.

Secondly, although I have never had the privilege of serving on the Calcutta Corporation, I have a considerable amount of knowledge of the sterling work done by the European group there. This group has no other ends to serve than the welfare of the citizens of Calcutta—it has no politics and is not concerned with nepotism. It aims for increased efficiency, and I am sure that the majority of members of this House and especially those who have served on the Corporation will agree with me in saying that the work of the European group there is immensely appreciated.

Dr. Sanyal raised the question of contracts. I can only say that the European group in the Corporation are concerned solely with the placing of contracts in the best interests of the ratepayers and they firmly maintain the policy of securing the best value for the ratepayers' money without any discrimination. It is manifestly obvious that it is both impossible and unthinkable that two members on a committee of 12 could unfairly influence the placing of contracts.

References are frequently made to us as birds of passage. I can only say that our passage must be a very slow one as we usually make our home here for 30 years or more, and rightly class ourselves as citizens of Calcutta, in every sense of the word.

In conclusion, Sir, this Bill, is, I think, a step in the right direction (Cries of "Hear! hear!" from the Coalition Benches), and I sincerely trust the Government will not stop here, but will take further steps to improve matters so that the administration of affairs in this great city shall be equal to that of other large cities in the Empire.

Mr. PULIN BEHARY MULLICK: Mr. Speaker, Sir, I have already congratulated the Hon'ble Minister for introducing the Bill. I take this opportunity to congratulate him once again for successfully piloting the Bill through the House.

Sir, the Bill, as settled, embodies two principles for the Scheduled Castes. First, the necessity of their representation. Secondly, the partial acceptance of separate electorate by the statutory provision of reservation of some seats through nomination. We wanted separate electorate. But, Sir, your ruling stood in the way. We must, therefore, wait for a more propitious moment in future for the fulfilment of our demand.

Sir, it is too early to give a definite verdict on the Bill as it now stands. Time and experience will show how far it succeeds in removing the just and legitimate grievances of our people.

Mr. JATINDRA NATH BASU: Mr. Speaker, Sir, the administration of the affairs of the Calcutta Corporation deeply concerns the citizens of Calcutta. It was, therefore, necessary that when the Government proposed to introduce a measure like the one which we are now considering, the citizens of Calcutta should have been consulted and their views obtained about the particular scheme that is incorporated in this Bill. Sir, this Bill goes against what has been the distinguishing feature of the constitution of the Corporation ever since it came into existence in the beginning of the last quarter of the last century. When a new measure is being introduced like this which completely changes the spirit of the constitution of that body, it was necessary that those who were most concerned should be consulted. But I regret, Sir, that that consultation did not take place. Sir, there is one aspect of the Bill on which I desire to lay particular stress. As I said in my remarks when this Bill was introduced, in civic matters there should be no difference in the interests of the different communities. Sir, so far as water-supply is concerned, there is no European water, no Hindu water, no Muhammadan water, but it is good and wholesome water that we want. So also in the case of roads and lighting. These are matters which affect all classes of the community equally——

Mr. SPEAKER: I am not sure if Mr. Basu has noticed that there is such a thing as Hindu water and Muhammadan water at railway stations. (Laughter)

Mr. JATINDRA NATH BASU: But in the Corporation of Calcutta we are concerned only with the quality and quantity of the water supplied, not with the pot in which the water is contained. Here we want to see that the water is wholesome and that it is plentiful; in that the Muhammadan, the Hindu, the European, the Anglo-Indian and others do not disagree. They are all unanimous.

Sir, in laying down the foundation of the civic administration we should look to the present, but we should not forget the future. For the future, we want that all sections of the community should stand together, work together, supplement each other's efforts and thus pull all the resources that the city can command so that the greatest and the most desirable effect may be attained. But if we introduce divisions into the constitution like this, then the main objects may, as they have been in the past, be lost sight of—the main objects for which the Corporation exists. Instead of that, a few employments here and a few employments there take up the time of the Corporation, and not the real work of the Corporation. Sir, instead of laying the foundations of unity for the future and for united action, we are here by this Bill laying the foundations of difference and strife (Cries of "Hear! hear!" from Congress members). That is what should not have been done in civic matters.

There is another feature of the Bill to which I desire to refer. It has been in several quarters an accepted principle that in representative bodies the representation should be on the basis of proportion of the different communities in the population. If that is the basis upon which claims are put forward,—and such claims are put forward not only in the matter of representation but also in the matter of appointments,—then it is only fair that the communities which under the Calcutta Municipal Act constitute the General Constituency should have such number of representatives as would be proportionate to their proportion in the population of the city. Sir, it is clear that that proportion has not been allowed.

So far as my Muslim and Anglo-Indian friends are concerned, I have no objection to their having their fullest quota that their proportion allows, and, if necessary, more, but there is no reason why the quota to which another community is entitled or another combination of communities is entitled should be taken away. Sir, if a certain community is 25 per cent of the population, by all means give them 25 per cent. of the general elected seats, but if another community is 65 per cent. of the population, why confine it to 47 per cent of the seats for purposes of representation? That is an arrangement which I must say I do not understand and which I must oppose. Sir, I am not talking of Hindus or any particular community. It is a matter of ordinary fair play and justice. (Mr. P. Banerji: That is unknown to the present Cabinet!)

Sir, what we desire to see in future is that all sections should combine and work together in order to attain the greatest effect and also that the scales should be held even amongst all communities. It is a matter of regret that the Bill contains provisions which go against that essential principle.

Sir, I oppose the motion.

(The House was then adjourned for 45 minutes.)

(After adjournment.)

Dr. SYAMAPRASAD MOOKERJEE: Mr. Speaker, Sir, during the debate on the Calcutta Municipal Bill, I did not deliberately take part in the detailed discussion of this measure, because it was my firm conviction that this Bill was so retrograde in character that the only way to deal with it was to throw it out altogether and not attempt to remedy some of its particular features.

During the last two years that the present Government has been in power, we have had occasions to criticise a number of legislative and administrative measures introduced by Government, and I believe

I shall be correct in saying that the present Bill surpasses all previous records standing to the discredit of the present Government.

Sir, during the last few weeks, day after day and week after week, we had occasion to watch how the tyranny of the majority worked itself to the highest pitch, how it resolutely turned its deaf ears to all proposals, however reasonable and fair. (A voice from the Coalition Benches: "What about your past record?") Please do not interrupt me. We are not ashamed of our records and you will hear of your own records very soon.

So far as this majority is concerned, it is a majority which represents various combinations—not indeed bound by any high ideal of common public welfare but tied in an unholy alliance, at least in one respect, and, that is to trample under foot the legitimate rights and privileges of one important section of the community. Sir, I shall not dwell on the extraordinary procedure which was adopted in considering a measure of this description affecting the affairs of a Corporation whose revenue equals that of the Province of Assam, without any previous reference to that body and without ascertaining its views on the many questions incorporated in the Bill But what I do say is that if you examine the provisions impartially, you will find that the only principle which dominates it is an absence of principles—indeed it is founded on a bundle of inconsistencies.

Sir, there is no principle behind this Bill which claims to place the civic administration of the Corporation on a better footing and foundation. I recall, Sir, the attitude taken up by the European group. Sir George Campbell said that he was against party politics dominating the affairs of the Corporation. My distinguished friend, the present Leader of the European group, has reiterated that his group has no politics. The preaching, let us assume, is perfect, but what is the practice that has been followed by the European group itself? On what considerations have they lent their support to a measure which, to say the least, is soaked in the dirty and polluted waters of communalism and party politics? What else is there behind the present Bill? What is the particular form of civic improvement which this Bill wants to see established in the Calcutta Corporation?

Let me turn to one or two main features of the Bill which have been discussed at great length during the last few weeks. Why is joint electorate abandoned? Joint electorate with reservation of seats has been accepted as the basis of representation in all civic bodies throughout the province—in all municipalities, district boards and other local bodies. Why should it be abandoned for the city of Calcutta? Will Mr. Walker answer me, what particular civic reform he seeks to establish by the removal of the system of joint electorate with reservation of seats? Sir, the suggestion was made that there

was a section of Muslims who did not want joint electorate. (Cries of "All! all!" from the Coalition Benches.) Is it not a matter which has to be considered dispassionately? There stands a previous agreement and the system has worked for six years. If joint electorate has proved to be ineffective or unwholesome, the reasons have to be stated publicly. The charges brought against the Corporation in respect of neglect of Muslim rights have to be enquired into by an impartial tribunal and not by the very persons bringing the charges, who have delegated to themselves the dual function of the prosecutor and are carrying through a measure of this description ignoring the fundamental rights of others. The members who have supported the proposal for abolition of joint electorate did not consider what its repercussions will be on similar bodies throughout the province. Will it lead to a healthy communal feeling with regard to their administration? Or, will it not rip open fresh schemes for mutual distrust and bitterness?

Now, let me come to the other question and that is the redistribution of seats. It is proposed in the Bill that the Muslims should get 22—19 they have now—and the reason given is that they constitute nearly 25 per cent. of the population of the city. So far as the European Party is concerned, they want about 10 per cent. and the reason given by Mr. Walker, is that they pay 15 per cent. of the rates of the Calcutta Corporation, although in respect of population, they certainly are an insignificant factor. All these are fair and sound principles when applied to Muslims and Europeans. But when the time comes to apply the same principles in the case of the Hindus, what is it that we find? Seventy per cent. of the population of Calcutta are Hindus, about 75 per cent. of the taxes are paid by the Hindus and 80 per cent. of the voters of the municipality are Hindus—then why I ask, will you not apply the same principle to them as well, why should they be relegated to the position of a minority in the Corporation of this city (Cries of "Shame! shame!" from the Congress Benches and Cries of "Question, question" from the Coalition Benches)? That is the question to which no satisfactory answer has yet been given nor will it ever be given? How many seats have been given to the Hindus? Here I would raise one fundamental question. Hindus are nowhere. We all come under General Constituency. I claim it as my birthright that in future when distributions are made among different communities, Hindus must be described as Hindus. We have our own rights and we want to see those rights established and accepted by the Government of the day. Forty-seven seats have been given to the General Constituencies and out of this 47, it is well known that at least two—if not three—seats will not go to the Hindus. So we will have 44 or 45 elected seats out of 93. That is the position. So far as the two Labour seats are concerned, they are also a doubtful

factor. It is not the representatives of trade unions, as provided in the Government of India Act, that will have the right to send in their representatives, but Government have put in an additional clause—they must be also recognised by a machinery set up by the Provincial Government! What was the object for this? Why did they impose this restriction? Were they afraid that Hindu labourer representatives, independent of Government influence, would be elected from this constituency which must be prevented at any cost? My statement remains unchalleneged that so far as the elected representatives are concerned, the Hindus will be in a state of minority in the Corporation of Calcutta (Cries of "No, no" from the Coalition Benches). I shall not include the three nominated seats for the Scheduled Castes, because I want to consider only the elected seats. You want separate electorate for Muslims as you think you will not otherwise get proper representatives. But the Hindus must not be given their majority by the open door of election and must depend on three of your henchmen on the Corporation nominated by you. You cannot possibly proceed on the footing that heads I win and tails you lose! This iniquitious provision will not be tolerated by us. (Interruptions from the Coalition Benches.) I am glad that members of the Coalition Party are interrupting me, because they feel that they have done an injustice, and the more they hear about it, the more impatient and restless they become. I am glad about the interruptions, for the thrusts are going home! The fact remains that the Hindus have been most unfairly placed in a position of minority. ("Question; question" from the Coalition Benches.) My friend, the Hon'ble the Chief Minister, said the other day—"Well, how have the Muslims been treated in the Provincial Assembly? They have not been given their majority." Granted that the Muslims have not been treated properly, granted that they should have been given a majority; but is it not true that the Hindus have been treated with gross injustice? The Hindus have not got their due share in this Assembly. If the Muslims have not got what they consider they were entitled to, were the Hindus responsible for it? Are you not astute enough to ascribe this arrangement to shrewd British diplomacy and to the British Imperialist policy which do not want that either the Hindus or the Muslims should be in a majority in Bengal. That is the plain truth. The Hindus and the Muhammadans of Bengal are not trusted. Therefore, each is put in a position of inferiority. They want to see that these two major communities do not work together. The Hindus were trusted for some time and now they are not. The Muhammadans have yet to prove their trustworthiness, and so the third party must meanwhile hold the balance of power. It is no use blaming British diplomacy, because any other Power in this position would perhaps have done the very same thing. But let me ask, are you not repeating

the very same blunder in reframing the constitution of the Calcutta Corporation? You are not getting a majority so far as Muslim representation is concerned and you are not also giving the Hindus a majority, although they form 68 per cent. of the population. The balance of power is here again left in the hands of the third party. That is not just; that is not fair; that is not statesmanlike. You have to realise that only because new powers have come to your hands, you are by sheer force of votes, deliberately doing an act which is nothing but an outrage on Hindu rights and privileges.

What then is the position? It is clear, Sir, that the attack is not mainly on the Corporation. One object is that the progressive elements among the Muhammadans will not be allowed to come in, because you are providing separate electorate. (Laughter from the Coalition Party.)

You may laugh, but you laugh against sheer truth. I repeat, Sir, the real attack is not on the Corporation, but it is on the Hindus of Bengal. I say emphatically that this is in keeping with the policy which has been pursued by the present Government for the last two years—the policy of dividing the Hindus, of weakening them, of crushing them. If the Hon'ble the Chief Minister or the other Ministers want to throw out a challenge to the Hindus of the province, the responsibility will be theirs. But let them remember that the challenge will be accepted by the Hindus. They will not hesitate to meet in their dens this curious company of lions and tigers,—now alas! known to be faked and not real, roaming about in the skins of much lesser animals. The Hindus shall not hesitate to assert and protect their rights. What crime have the Caste Hindus or for the matter of that any Hindu committed in this presidency? Who will deny that they have been the principal torch-bearers in the fight for India's progress and freedom. You are exercising certain rights and powers to-day. Have you got these rights and powers due to any efforts made by you? You have to admit this essential truth, this cardinal truth that whatever powers have come to the people of the country is due to the fight that the Hindus throughout India and especially the Hindus of Bengal carried on for generations. And remember they did not fight for themselves but for the millions of the Indian people, irrespective of class and community.

If that is the position, if the Hindus of Bengal did not hesitate to fight with British Imperialism and make it loosen its hold on the most brilliant and dazzling gem in the British Crown, think not for a moment that they will hesitate to fight the tin-gods that constitute the present Government.

The Hon'ble the Chief Minister has got to realise that the Government of to-day do not enjoy the confidence of the Hindu community

whose interests have been ruthlessly suppressed. If there are Hindu Ministers in his Cabinet who have advised him to the contrary—we do not know what the alleged ministerial crisis really meant—let me say that such advice has not come from men who represent their community, but shall I say from the painted dolls of Kalighat, beautiful to look at but mere figures and entirely lifeless and powerless.

My last appeal to Government is thus: realise that there are dark and ominous clouds to-day gathering over the horizon of this province. The choice between peace and conflict is to be made by the Government with a full sense of responsibility. If you fight, we also fight for our lives, our rights, our liberties. But even at this late hour let me say that we do want to live together as friends—Hindus and Muslims and Christians. If we can sink our differences and work together, the Hindus with their intellectual achievement, their idealism, their passionate longing for the liberation of their motherland, and Muslims, inheritors of great democratic traditions——(A VOICE: That is a subterfuge.) It is not subterfuge. If the Hindus and Muslims forget their differences and combine, what will happen? Bengal's leadership in all-India politics will not be a dream but a reality. The only thing that we have got to do is to adjust our differences with regard to fundamental points in a broad spirit of mutual trust and good will, of justice and fair play and come to some agreement which will be for the good of the Hindus, of Muslims and of the public of Bengal whom we are here to serve. (Applause.)

Mr. SPEAKER: Mr. Shamsuddin Ahmed, I may give you only 7 minutes' time.

Mr. M. SHAMSUDDIN AHMED: I do not know why so far as my group is concerned its time should be so limited?

Mr. SPEAKER: I cannot help it; you did not take your chance before.

Mr. M. SHAMSUDDIN AHMED: In that case I am not speaking

Mr. TULSI CHANDRA GOSWAMI: On a point of order, Sir. Why should you specify a time especially for a Leader of the Opposition and not for the leaders of the other groups?

Mr. SPEAKER: I am prepared to give full time to the leaders of different groups. But I think you should recognise that I cannot give full time to every leader of a small group or of every party.

Mr. M. SHAMSUDDIN AHMED: Whatever my position is, you have always recognised it and you will have to recognise it hereafter.

Dr. NALINAKSHA SANYAL: May we know who are the persons whom you are going to call?

Mr. SPEAKER: Mr. Bose.

Dr. NALINAKSHA SANYAL: Mr. Bose will not take more than half an hour, and probably the House will sit till 8 o'clock.

Mr. SPEAKER: That I do not know, but I am not going to curtail Mr. Bose's time.

Dr. NALINAKSHA SANYAL: May we know who is the leader of a group or party?

Mr. SPEAKER: I am not prepared to answer that hypothetical question.

Dr. NALINAKSHA SANYAL: You are insulting a member of the Opposition and you have no right to do that.

Mr. SPEAKER: My difficulty is that I have already adjusted my time. Knowing full well that Mr. Shamsuddin will speak, I was prepared to give him full time, but the difficulty is that Mr. Bose was anxious to speak after Dr. Mookerjee. I kept the normal time for Mr. Shamsuddin, but inasmuch as Mr. Bose will require some considerable time and one or two speakers of the ministerial side will also have to be given time I have to curtail the time of Mr Shamsuddin.

Mr. JOGESH CHANDRA GUPTA: We have cut down some speakers in order to give the group leaders the necessary time. Only Mr. Bose is speaking from this side. In such circumstances I do not know——.

Mr. SPEAKER: I am quite prepared to give him time, but he should be considerate.

Mr. M. SHAMSUDDIN AHMED: I do not know under what consideration you have allowed some leaders the necessary time. You have always recognised me whatever my worth as the leader of a group small though it may be.

Mr. SPEAKER: I recognise it and that is why I am calling you to speak.

Mr. M. SHAMSUDDIN AHMED: You have several times recognised me as a leader. It seems to me now that you are deliberately trying to shut us out. I do not think that in these circumstances I should speak. This is a very serious thing.

Mr. SPEAKER: It was far from my intention to shut you out. If Mr. Shamsuddin said that he would require more time, I would be prepared to give him as much time as he would require. He has not told me that Mr. Walker finished in about 8 minutes' time.

Mr. JOGESH CHANDRA GUPTA: Will you not give him the appropriate time?

Mr. M. SHAMSUDDIN AHMED: I think it is one of the fundamental parliamentary privileges. Under the circumstances I have no other alternative but to retire from this House.

(Mr. M. Shamsuddin Ahmed with his group withdrew.)

Mr. SARAT CHANDRA BOSE: As you have thought fit to limit the time of the leader of one of the important groups of this House who work with us, I regret I must decline to speak.

Mr. SPEAKER: As a matter of fact Mr. Bose will remember that I said Mr. Shamsuddin could have 7 minutes. He did not say what time he would require. The Leader of the Opposition should have full chance and ought to have no restriction of time. If Mr. Shamsuddin Ahmed wanted more time, he could have asked for it. I never said that I would not give him more time. We are to follow certain conventions. The Leader of the Opposition is a most important person. I have never done anything to restrict his time. So far as Mr. Shamsuddin is concerned, I gave him a further chance and am still willing to give him a chance. I am quite prepared to give Mr. Shamsuddin his full time if he insists on it.

Mr. SARAT CHANDRA BOSE: May I request you to send your Secretary or any other person to call Mr. Shamsuddin?

Mr. SPEAKER: I hope you will remember that throughout the discussion on the Municipal Bill I have tried my best to give full time, and you will also remember that we are trying to work within a short time.

Mr. JOGESH CHANDRA GUPTA: We have felt that the Muslim members who have been working with us in the Opposition have not got the treatment in some matters——.

Mr. SPEAKER: In what matter?

Mr. JOGESH CHANDRA GUPTA: In the matter of inclusion in the Select Committee.

Mr. SPEAKER: I have nothing to do with that.

Mr. JOGESH CHANDRA GUPTA: And also in the matter of speeches.

The Hon'ble Khwaja Sir NAZIMUDDIN: May I draw your attention to one point? If a member is called upon to speak and if he refuses to speak at that time, is it fair on your part to allow him to speak later on?

Mr. SASANKA SEKHAR SANYAL: His refusal was not voluntary but was forced by circumstances.

Mr. SPEAKER: Do you remember, Mr. Sanyal, that I called Mr. Shamsuddin thrice?

Dr. NALINAKSHA SANYAL: Yes, with a threat that he may not have time later on. There was no occasion to threaten him at that stage.

Mr. SPEAKER: I have to accommodate the Leader of the Opposition, the Leader of the House and certain others whom I have to choose.

Mr. JOGESH CHANDRA GUPTA: There is no other speaker. I intimated to you that only the Leader of the Opposition would speak. I am not putting up any other speaker.

Mr. SPEAKER: My difficulty is I have to keep the discussion within the time-limit. I have to curtail it in some way.

Mr. JOGESH CHANDRA GUPTA: It is not fair to tell the Leader of a group that he will be given only 7 minutes without even seeing whether he finishes it or not.

Mr. SASANKA SEKHAR SANYAL: You may curtail the time by allowing only one member from the Treasury Benches to speak.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have listened to the debate on the third reading of the Calcutta Municipal (Amendment) Bill. As the Hon'ble Chief Minister is going to wind up the debate, he will reply to all the points that have been raised. Only one point I wish to emphasize and that is that this piece of legislation has never denied the right of Hindus or any other community. We have tried to be fair, equitable and just.

Before I conclude, I feel it my duty to thank you, Sir, for the able and impartial manner, as is usual with you, with which you have conducted the deliberations over this piece of legislative measure which has evoked so much criticism from one section of the House at various stages. I have also to thank my friends, the Scheduled Caste members of the Coalition party as also of the European group for the support they gave and for the helpful suggestions they offered. I think in all fairness I should also thank the Opposition for their criticisms, and I can only express my sympathy as I could not see eye to eye with them. But that is no reason for holding that they did not do their best to effect suitable changes to suit their convenience. I hope and trust that when the Bill is put on the Statute Book it will bring about harmony and goodwill amongst various sections and communities inhabiting this great city and that those on whom will fall the task of administering the biggest self-governing institution of this province will sink all their differences and try their level best to improve the civic conditions of the city. With these words I commend my motion to the acceptance of the House.

The Hon'ble Mr. NALINI RANJAN SARKER: Sir, the action of the Hindu Ministers in connection with this Bill has been so much criticised both inside this Chamber and outside, that I think it necessary to make my position clear. Whatever statement I may make in this connection, should be treated as my personal opinion pure and simple and not as representing the view-point of the Government. First of all, Sir, I am very sorry that Dr. Syamaprasad Mookerjee has challenged me that I do not represent the Hindu opinion. I agree that I do not represent the entire Hindu community in this province though I come from a Hindu electorate. I could have appreciated that challenge from the Leader of the Opposition. Undoubtedly he represents the Hindu community and can deliver the goods on behalf of the Hindus. But I fail to see how my position is different from the position of Dr. Syamaprasad Mookerjee. He has also come from a pocket constituency, a special constituency. He does not represent the entire Hindu community of Bengal.

Sir, there are three main questions regarding this Bill. The first is the form of electorate, separate electorate in place of joint electorate; the second is the representation of Scheduled Castes, and the third is

the strength and allotment of seats. With regard to separate electorate, from the standpoint of larger national interests and of the higher ideals of national development, joint electorates would certainly appear to be the best and in that view of the matter the present Bill might be described as a retrograde measure as it seeks to replace joint electorates where they exist by separate electorates. If there were no differences between different sections and communities and if they were prepared to willingly co-operate and acquiesce in a joint electorate, that would no doubt have been an ideal condition of things, but what are the actual circumstances we are up against to-day? We have to-day a preponderatingly large majority of the Moslem community which insists on having and will not accept anything but a separate electorate. That being the position, it would not be practical politics to keep our eyes fixed high up on the ideals disregarding the realities of the situation. A compromise seems to be essential it peace and working harmony between the communities is to be attained and maintained, at least until such time as there is more of trust and understanding between the two major communities. The Communal Award itself recognised and placed its seal of approval on separate electorate in the larger legislative sphere. This again was necessary because the best minds of both the communities could not arrive at a mutual understanding in regard to communal problems. The Congress itself, though regarding the Communal Award as anti-national, had, in view of the hard realities of the situation, to adopt towards it an attitude of "neither accept nor reject." Even the Bengal Congressmen have, it appears from their present attitude, gradually come to realise that the Muhammadan views and feelings on the subject being what they are, an aggressive policy in this matter would be undesirable. Whatever may be the demerits of separate electorates, it has become an established fact for the time being in the legislative sphere, and it would not be easy to change it without a mutual understanding between the two communities. Separate electorates are, no doubt, anti-national and tend to create a separatist outlook, but from the past history of the administration of the Calcutta Corporation under separate electorates, it does not appear that separate electorates have proved so very baneful to the civic administration. The administration of the Corporation under separate electorates during the first nine years of the passing of the Calcutta Municipal Act does in no way compare unfavourably with its subsequent administration under the ægis of joint electorate. Moreover, the subjects of contention between the two communities and the matters in regard to which pressure of a communal nature have been felt, have been much the same both under separate electorates and the subsequent joint electorates. The form of the electorate has made no appreciable difference in regard to these and is not likely to do so for some time to come. Judging from the experience of the past, therefore, it would seem that the introduction of separate electorates may not make any very great difference to the efficiency of the civic administration.

The Muslim point of view in this matter is not one which can be lightly brushed aside. They maintain that wherever the Hindus are in a majority, as in the Corporation, Congress influence will predominate: and the Congress party will naturally select such Muslims as are prepared to sign the Congress creed or as have an affinity with them. But Bengal Muslims as a community have not been attracted towards the Congress so far, whatever may be the reasons for that. That being so, Bengal Muslims feel that those members of their community who would ordinarily get into the Corporation under joint electorates would not be true representatives of the community under the prevailing state of things.

The fact has also to be recognised that the Muslims possess considerable powers over the legislative machinery so as to be able to give effect to their demands. In view of all these circumstances it would, I felt, be unwise and not at all conducive to constructive work for the country if in the face of such circumstances we were to let the Muslim community carry their demand in the teeth of our opposition. From what I know from my association with some of the prominent Congress leaders now and in the past, I can say that it is their opinion that it would be unwise to oppose separate electorates if the Muslim community were solidly in its favour.

I may recall in this connection that in the original Act sponsored by Sir Surendra Nath, separate electorates were provided for a period of nine years. It was through the efforts of Sir Bijoy Prasad as Minister of Local Self-Government that it was possible to replace that provision in the Calcutta Municipal Act by joint electorates after separate electorates had been in operation for the first nine years. And if the Caste Hindu Ministers have now reluctantly acquiesced in the proposal to revert to the principle of separate electorates, it is in a spirit of compromise and in deference to the wishes of an overwhelming majority of Muslim members and in the sincere belief that there is no other alternative in the circumstances of to-day which would ensure smooth relationship between the two major communities. As a great political thinker said, "Sufficient for the statesman if he can grapple with the problem of to-day; for the distant future he must leave the posterity to provide."

Now, Sir, with regard to Scheduled Castes seats, there was a persistent demand from the supporters of the Government from among the Scheduled Castes members in the Assembly for a separate electorate for the Scheduled Castes. But the Government had accepted the principle of joint electorate with reservation of seats for the Scheduled Castes. Failing to obtain a separate electorate, they insisted that all the Scheduled Caste seats should be given through nomination, if necessary, by an increase in the total number of nominated seats. In this matter also a compromise has been effected, 4 seats having been given by reservation under a joint electorate and 3 by nomination.

One thing must be understood: where the role of the Opposition is conceived to be to oppose the Government under all circumstances, where the atmosphere is all against a spirit of give and take and any effort to settle things by mutual discussions and compromise, the Government naturally do not find it easy to completely disregard the wishes of their supporters on very many matters.

Regarding the strength and distribution of seats as between the different communities, I feel that full justice has not been meted out to Hindus in this matter. I have been in politics since 1907, and I do not think I have ever had occasion to take up a communal cry or to feel that Hindu interests were in jeopardy. But unfortunately communal considerations are being forced on us, since major political issues are nowadays being decided on communal lines. In the circumstances, it becomes the duty of one returned by a Hindu electorate under a system of separate electorates to see that the Hindu cause and Hindu interests do not suffer unjustly.

In the city of Calcutta, whether in point of population or in respect of the number of voters or again in regard to the amount of rates paid, the Hindus have an overwhelming preponderance. The number of Hindu seats should have been increased to a greater extent than has actually been provided for in the Bill. Under a joint electorate, the number of seats would not matter so very much but with separate electorates the number becomes a matter of very great importance. Especially, when Muslim seats are being increased under the system of separate electorates, Hindu seats should also certainly have been increased, so that they could have a substantial majority and not a bare majority only. They should have been given, on such a basis, an undisputed majority straightaway through Hindu general elected seats. This could be done without in any way reducing Muslim representation. In view of the unwillingness of the Coalition Party to agree to give to the Hindus a substantial majority in the Corporation to which they are entitled by all tokens, if the Hindus entertain any misgivings in their minds that they could hardly be blamed for that. The position envisaged in the Bill gives the Hindus a hair-breadth of a majority only. Thus, in a House of 93, out of 49 seats composed of General and Labour seats, the Hindus may hope to get 47 elected seats only, apart from the three nominated seats for Scheduled Castes. The majority is so extremely slender that the slightest disturbance could turn this majority into a minority. Considered on communal lines again, the election of the 5 aldermen would depend on this majority or minority that the Hindus in actuality obtain.

Dr. Sanyal has accused the Caste Hindu Ministers in the Cabinet that they should be able to get only one more seat for Hindus after all these discussions, criticisms and protests. But, Sir, even one seat is not to be despised, for one seat or one vote has been known to turn the

scales one way or the other on many a momentous occasion. Moreover, considering what the previous provisions were and the demands that had subsequently been pressed, e.g., separate electorate for the Scheduled Castes, the filling up of all the Scheduled Castes seats by nomination, etc., things might have been worse still. It is something that this at least has been prevented and the Hindus, from a communal point of view, given a majority, however small.

I do not think that this matter of representation would make much difference to the efficiency of the administration of the Corporation. I believe that after the election this division on communal lines with all its ugly features may not continue so far as day-to-day work inside the Corporation Council Chamber is concerned. For, past experience, whether under joint or separate electorate, has shown that when it comes to actual working, neither the Hindus nor the Muhammadans have remained aloof as separate entities. Some from the Hindu side and some from the Muslim have, on the other hand, joined together and the European councillors also have given their support to this or that group, composed of Hindus and Muslims on the various issues. I do not think Dr. Sanyal has been fair to Europeans in saying that the European Councillors have engineered and kept up divisions in the Corporation. I think that was not a correct picture. It is not that the Indian Councillors have been too eager to embrace one another and that the European Councillors have kept them apart. I rather think that it was the Indian Councillors who have in the past quarrelled among themselves and formed different groups and each of these groups have on occasions sought European support.

Even in other spheres, for example, in the Bengal Council, in Deshbandhu C. R. Das's time, he had about 22 Muslims with him in the Swaraj Party, though these Muslim members were returned under separate electorates. In the present Legislative Assembly itself we find about 20 to 25 Muslims working with Congress members who are preponderatingly Hindus. While it is possible that there might be differences on purely political questions, in the civic sphere the occasion and scope for acute difference between the communities seem to me to be very small. Moreover, there would appear to be very little chance for Muslims, Anglo-Indians, and Europeans to combine together to crush the Hindus in the civic sphere. For these reasons, I believe that in the future also on civic matters in the Calcutta Corporation the Hindus and Muhammadans could be made to co-operate and work together with a little bit of tactful and sympathetic leaderships.

There is one aspect of the matter which strikes me as rather important. Muslims having obtained power in the governmental sphere would now naturally feel stronger in the sphere of the Corporation also, and even if they had a lesser number of seats, they would probably succeed in getting many things done through the weight of

the Government. I should think, therefore, that even with a readjustment of seats to the satisfaction of the Hindu community, the Hindus may not on all occasions be able to get things done as they want in the Corporation. The attempt should, therefore, rather be to bring about an atmosphere in which combined endeavours by members of the two communities in a spirit of mutual understanding and good-will may be possible.

Whatever the provisions of the Municipal Bill, there is one unhealthy tendency which I have been watching in this connection, and that is a tendency to try to divide the Hindu community as between Scheduled Castes and Caste Hindus, because the latter are to a preponderating degree supporters of the Congress. There is bitterness against the Congress and this bitterness in its turn is being reflected on the Hindu community. In fact, things seem to be coming to such a pass where the upper class Hindus are being treated as undesirables, who are to be suppressed and tabooed. (Cheers from Nationalist Members.) But is this a reasonable attitude? Is this an attitude that is desirable? It would not do to forget that it is these cultured upper class Hindus who have contributed most to the fight for freedom in Bengal and in India. (Cheers from Congress members.) The powers that we have gained to-day in the provinces have been possible mainly because of the sacrifice and patriotism of generations of these Caste Hindus (Cries of "Listen attentively" from Congress Benches), and I feel that they do not deserve such treatment. The attitude of the Congress Opposition may have provided an excuse. I am ready to admit that there have been many things in the attitude and actions of the Congress Opposition to which exception could be taken, but certainly the sins of that Opposition should not be visited upon the entire Hindu community. It would, indeed, be sad if political and parliamentary vengeance were to take such a form. In any case, if a highly-cultured community, such as the Caste Hindus represent, were brought to a state of desperation, I fear the result cannot be good, for the reaction to that treatment might create a situation which would make peaceful and harmonious work extremely difficult in the larger sphere of the administration of this province. (Cheers from Congress Benches.)

There has been much agitation against this Bill. It has been described as a "black Bill" in certain quarters, but, as I have indicated, the provisions of the Bill are not likely to make much difference to the actual administration of the Corporation. And while I thoroughly understand Hindu feelings and sentiments in this matter, I feel that the agitation has been based, in part at least, on certain fears which may not be real. (Cheers from Coalition Benches.)

Mr. SPEAKER: Sir Bijoy.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Mr. Speaker, Sir, (Dr. NALINAKSHA SANYAL: Apologia of Hindu Ministers!) I may tell my honourable friend Dr. Sanyal that I do not intervene in this debate either as an apologist on behalf of Government or on behalf of myself. I only want to make certain points clear and to place a few facts before the House.

As one who fought against the introduction of separate electorate when the Calcutta Municipal Bill was on the legislative anvil in 1921 and as one who was directly responsible for the introduction of joint electorate in 1933 I feel that I cannot cast my vote in favour of this measure in silence. I shall explain to the members of this House and to the public outside as to why I have agreed to support separate electorate after having fought so long and so bitterly against it. (Mr. SANTOSH KUMAR BASU: That is the apologia!)

Honourable members may know that when in 1923 the Calcutta Municipal Bill was in its final stage, Mr. Langford James, the then leader of the European group, made certain suggestions about compromise, namely, that after three elections joint electorate would be automatically introduced. That compromise was accepted by Sir Surendranath Banerji. All the representatives of the Hindu community in the old Bengal Legislative Council supported the compromise, but only one representative of the Muslim community, namely, my late lamented friend Dr. Abdullah Suhrawardy, supported that measure, while the rest went against Government. Mr. Langford James made it abundantly clear as to what made him suggest the compromise. He was hoping that within the next nine years, *i.e.*, within the next three terms of the Calcutta Corporation, a Royal Commission would visit India and give its verdict on the working of joint and separate electorates, and if separate electorate was preferable, separate electorate would have to be introduced in the Calcutta Corporation. Now, it is well known that in the constitution of 1935 separate electorate has been introduced. That is a fact from which we cannot run away.

Secondly, Sir, in 1933 when I had the privilege of introducing joint electorate——(Mr. SANTOSH KUMAR BASU: You had not the privilege, Sir Bijoy. It was in the statute itself!) No, Sir, I had the privilege of introducing it. (Mr. SANTOSH KUMAR BASU: You only increased the number of Muhammadan seats.) No, Sir. I had the privilege of introducing joint electorate and of making it an accomplished fact. All the Muslim members of the Council were against it, and the Bill was carried with the support of Hindu and European members of the Council. So, the Muslim community of Calcutta, or of Bengal, never accepted joint electorate. This is a fact which Government cannot ignore. Sir, what I would like to point out is that Government as a practical body could not afford to ignore realities. However much it might be desirable to introduce joint electorate and

help the fusion of the two communities in civic and political bodies it was a far cry, and it was not to be for at least some time to come, and Government thought that the feeling between the two communities would improve if instead of forcing the Muslims to accept joint electorate they were given separate electorate and allowed the right to choose their own representatives. (Rai HARENDRA NATH CHAUDHURI: Where was this practical suggestion in 1933?) Sir, I tried and we found that it proved a failure. (Cries of "Ho! ho!" from Congress Benches.) Sir, it was the result of experience. (Cries of "Hear! hear!" from Coalition Benches.) I make a confession of that, and I am not ashamed of it. I tried as an honest man, and I did my best to fight for joint electorate, but it proved a failure. Let my honourable friends accept reality.

(At this stage there was some uproar.)

Mr. Khwaja SHAHABUDDIN: Sir, will the Opposition be allowed to interrupt the Hon'ble Minister in this way? Dr. Syamaprasad Mookerjee was not interrupted when he was speaking. Then why this thrust against the Hon'ble Minister?

Rai HARENDRA NATH CHAUDHURI: There is no thrust. The Hon'ble Minister cannot explain himself.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, there are three issues involved in this Bill, viz., separate electorate for the Muslims, reservation of seats either through election or through nomination for the Schedule Castes, and the position of the Caste Hindus in Calcutta, *i.e.*, whether the Caste Hindus should be in a majority or reduced to a minority. Sir, in the 1923 Act, the total number of seats were 84 of which there were 47 general seats: of these 47 general seats wards Nos. 15, 16 and 17 were generally captured by European candidates or those who were elected to the Corporation were elected with the support of the European and the Anglo-Indian voters. So the actual majority in 1923 was 4. Now, Sir, in the 1933 Act the total number of seats was increased to 87. Of these 87 seats, 43 were general seats on that basis, so that the Hindu community of Calcutta was reduced to a minority of one. But the minority did not matter because the 19 Muslims and the 43 Hindus that used to be elected practically came through the general electorate. That was the justification for reducing the general seats to a minority of one. Now, in this Bill the number is 47. This 47 includes 2 labour seats. My honourable friend Dr. Syamaprasad Mookerjee will probably argue that where is the guarantee that these two seats will go to the Hindus. But we know it for certain that the majority of Labour in Calcutta are none but Hindus, and there is a Tribunal and the applications for

registration of Trade Unions will be decided by the Tribunal and not by Government. So there can be no political pressure brought on the Tribunal to reduce the majority to a minority, or to favour one community in preference to another. So in my own mind I have very little doubt that probably there is 99 per cent. chance of these two labour seats going to the Hindus of Calcutta. Thus the total number of seats that will go to the Hindus will be 47 as against 46 out of 93, so that the Hindus will have a majority of one. That explains the position and these are the grounds on which we the Caste Hindu Ministers have agreed to a compromise. Sir, I fully agree with my honourable friend, Dr. Mookherjee, that the Hindus of Calcutta have no reason to be satisfied with the position in which they have been placed. I yield to none in my feeling that their position should have been improved or Government could have been more fair to the Hindu community. But life is a compromise and it is more so in politics (Mr. SANTOSH KUMAR BASU: By sacrificing everything!) No, not by sacrificing everything but by gaining a majority of one. The minority of one has been turned into a majority of one, so that it is sufficient justification for accepting that compromise. And I am hoping that the day is not in the distant future, if not in the immediate future, when separate electorates will disappear and again both Hindus and Muslims will decide to get themselves elected through a joint electorate. But, for the time being, we must submit to the inevitable.

Mr. SPEAKER: As I find that it is not likely that the debate is to be concluded by 8 p.m. to-night and as I do not want, in an important matter like this, that the debate should be curtailed I would now adjourn the House.

Adjournment.

The House was then adjourned till 4-45 p.m. on Thursday, the 11th May, 1939, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 11th May, 1939, at 4-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, 11 Hon'ble Ministers and 216 members

STARRED QUESTIONS

(to which oral answers were given)

Free Primary Board Schools in Mymensingh.

*435. **Mr. MIRZA ABDUL HAFEZ:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) whether the Government have decided the number of minimum Free Primary Board Schools for the district of Mymensingh;

(*ii*) the number of schools there where Free Primary Act, 1930, has been partly given effect to—

(1) since 3rd January, 1938, and

(2) since 1st October, 1938;

(*iii*) the number of schools where no effect has yet been given,

(*iv*) the number of girls' schools—

(1) in which grants have been given in 1938, with the amount that has been given, and

(2) in which grants have not been given, stating reasons;

(*v*) the amount of education cess realised till the 31st December of 1938;

(*vi*) the total amount which has been estimated annually for the scheme in the district; and

(*vii*) the amount that has been given by the Government to the scheme in Mymensingh in the year 1938?

(*b*) If the answer to (*a*) (*vii*) is in the negative, what are the reasons?

(*c*) Are the Government considering the desirability of granting an annual recurring contribution towards meeting the cost of the Free Primary Education scheme in the district?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) (*i*) Yes, 2,634.

(*ii*) (1) 1,746, and (2) 662.

(*iii*) 226 (grants at Rs. 15 per month in 1939-40 have been provided in the Budget).

(*iv*) (1) 1,612—Rs. 66,768, and (2) 376—inefficient.

(*v*) Rs. 3,44,125.

(*vi*) Rs. 10,57,010 for 1938-39.

(*vii*) Rs. 4,04,473.

(*b*) Does not arise.

(*c*) Yes.

Scheduled Castes boys in the primary and middle English schools in the Burdwan district.

***436. Mr. ADWAITA KUMAR MAJI:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) the number of primary and middle English schools chiefly attended by Scheduled Castes boys in the Sadar subdivision of Burdwan; and

(*ii*) what are their names?

(*b*) Is it in the contemplation of Government to help these schools from the special grant of Rs. 5 lakhs?

(*c*) Is the Hon'ble Minister aware that the Special Officer had asked the local M.L.A.'s for a list of primary and middle English schools chiefly attended by the Scheduled Castes pupils?

(*d*) Has any order been issued to District Inspector of Schools, Burdwan, for inspecting those schools for sanctioning necessary grants for them and their buildings?

(*e*) Have the Special Officer and Education Committee been instructed for distribution of the special grant on a population basis amongst the Scheduled Castes in Bengal?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) Primary schools—13; Middle English school—1.

(*ii*) Primary schools—

Gartalit, Rampur, Majpur, Kamarhat, Chabukpur, Mugra, Jamaipota, Char No. 2, Subalda, Induli, Mirpur, Rupsona, Harkala.

Middle English school—Sarenga.

(*b*) and (*e*) No.

(*c*) Yes.

(*d*) They are inspected in the normal course.

Amount spent for the new and old scheme madrassahs in Bengal.

***437. Khan Bahadur Maulana AHMED ALI ENAYETPURI:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing for the year 1938-39—

(*i*) the actual amount spent for the new and old scheme junior and senior madrassahs of Bengal;

(*ii*) the names of old and new scheme madrassahs (junior and senior) showing the amount spent for each of them;

(*iii*) the amount spent for house grants for the madrassahs of both the schemes, and

(*iv*) the names of the madrassahs and the amount given to each of them?

(*b*) Will the Hon'ble Minister be pleased to state what amount has been allotted in the current year for the old and new scheme madrassahs separately?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) and (*ii*) The information is not available without a reference to the Divisional Inspectors of Schools.

(*iii*) and (*iv*) On the assumption that house grants mean building grants, a statement is laid on the table.

	Rs.
(*b*) Recurring grants—	
Old scheme madrassahs . .	30,000
New scheme madrassahs ...	3,70,338
Building grants ...	25,000

No amount has been set apart for old scheme madrassahs. But there is no bar to give them building grants out of the above provision.

Statement referred to in the reply to clauses (a) (iii) and (iv) of starred question No. 437. showing building grants to madrassahs sanctioned during the year 1938-39.

NEW SCHEME MADRASSAHS.

		Rs.	a.
1.	Jangipur High Madrassah, district Murshidabad ..	569	0
2.	Pakundia High Madrassah, district Mymensingh ..	5,000	0
3.	Keundia High Madrassah, district Bakarganj ..	1,843	0
4.	A. Rab. High Madrassah, Bhola, district Bakarganj ..	385	0
5.	Alekanda Nuria High Madrassah, district Barisal ..	1,370	0
6.	Hussamia High Madrassah, district Comilla ..	368	0
7.	Bogra Central High Madrassah, district Bogra ..	273	0
8.	Manikchak Junior Madrassah, district Murshidabad ..	1,000	0
9.	Karajgram Junior Madrassah, district Burdwan ..	1,458	0
10.	Margram Junior Madrassah, district Birbhum ..	2,838	0
11.	Pipulia Junior Madrassah, district Dacca ..	543	0
12.	Pingna Junior Madrassah, district Mymensingh ..	558	0
13.	Jalagati Junior Madrassah, district Bakarganj ..	282	0
14.	Akalam Junior Madrassah, district Bakarganj ..	1,051	0
15.	Dhanikhola Junior Madrassah, district Mymensingh ..	249	0
16.	Barahinagar Junior Madrassah, district Noakhali ..	200	0
17.	Nurul Huda Junior Madrassah, district Dinajpur ..	1,292	8
18.	Matikata Junior Madrassah, district Rajshahi ..	272	0
	Total ..	19,551	8

OLD SCHEME MADRASSAHS.

		Rs.	a.
1.	Kumradi Darul Senior Madrassah, district Dacca ..	5,000	0
2.	Islamia Senior Madrassah, district Serajganj ..	150	0
	Total ..	5,150	0
	Grand Total ..	24,701	8

Maulvi ABDUL WAHED: Is the Hon'ble Minister aware that of late there has been a greater demand from the Muslim community for making more liberal grants, both capital and recurring, towards the old scheme madrassahs?

The Hon'ble Mr. A. K. Fazlul Huq: Yes.

Nomination from Scheduled Castes for the post of Special Officer for Debt Settlement works in Mymensingh.

*438. **Mr. TARINI CHARAN PRAMANIK:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state whether any member of the Scheduled Castes has been nominated from the district of Mymensingh for the post of Special Officer for Debt Settlement works?

(*b*) If so, will the Hon'ble Minister be pleased to state his name?

(*c*) Is the Hon'ble Minister aware—

(*i*) that a member of the Satchashi (সৎচাষী) community has been given nomination as a member of the Scheduled Castes; and

(*ii*) that he is not a member of the Scheduled Castes?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, does he propose to take in the matter?

(*e*) If the answer to (*c*) is in the negative, is the Hon'ble Minister considering the desirability of instituting an enquiry into the matter through the Collector of the district?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): Nominations or recommendations are treated as confidential and I regret this cannot be disclosed.

I can add, however, that the lists of recommendations are verified with the lists in the Government of India (Scheduled Castes) Order, 1936.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state if anybody has been nominated as Scheduled Caste, but who actually does not belong to the Scheduled Caste?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I would only refer the honourable member to the answer given.

Mr. NISHITHA NATH KUNDU: That is not the answer to my question. I want to know definitely whether anybody who does not belong to Scheduled Caste has been nominated as Scheduled Caste. No reply is given to this.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I am not awafe of any such thing yet.

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state whether Government is considering the desirability of appointing a Scheduled Caste member to the post of Special Officer for Debt Settlement work?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Yes.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Mrs. Ispahani, Assistant Inspectress of Schools, Presidency and Burdwan Divisions.

194. Maulvi ABDUL LATIF BISWAS: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact—

(*i*) that Mrs. Ispahani, the present Assistant Inspectress of Schools for Zenana Work and Muhammadan Education, Presidency and Burdwan Divisions, was a teacher of Urdu in the Sakhwat Memorial High English School;

(*ii*) that she does not know the Bengali language; and

(*iii*) that in the mufassal instruction is imparted mainly through the medium of Bengali in the primary schools and the maktabs?

(*b*) If the answer to (*a*) is in the affirmative will the Hon'ble Minister be pleased to state why the appointment was given to a lady, who has no knowledge of the Bengali language?

(*c*) Will the Hon'ble Minister be pleased to state whether it is a fact that she does not record her inspection notes in Bengali?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) Yes, she was Urdu-knowing English teacher.

(*ii*) It is a fact that, when she was appointed, Mrs. Ispahani's knowledge of the Bengali language was not sufficient to enable her to conduct the inspection work of the Moslem primary schools for girls.

(*iii*) Yes.

(b) Mrs. Ispahani was appointed for the reason that the duties attached to the post necessitate the possession of a good knowledge of Urdu and there was no other candidate who had this qualification. Her appointment is subject to the condition that she passes a special test in Bengali within three months from the date of her joining the post. Steps are being taken to hold the test.

(c) Yes, she records her inspection notes in English.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state the date of appointment of Mrs. Ispahani.

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot give the date; I do not remember.

Mr. NISHITHA NATH KUNDU: Will the Hon'ble Minister be pleased to state if it is possible for him to state the approximate date?

The Hon'ble Mr. A. K. FAZLUL HUQ: No I must have notice and I will look into the matter.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to state if three months have elapsed since the appointment of Mrs. Ispahani?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have got no idea As a matter of fact, if the information is wanted, I would take it as a notice and shall answer it later on.

Mr. ATUL KRISHNA GHOSE: The arrangement was like this; that Mrs. Ispahani would learn Bengali within three months My question is whether these three months have elapsed and whether she has given the test or not? That is the point.

The Hon'ble Mr. A. K. FAZLUL HUQ: I might look into the matter whether she has passed the test or not.

Mr. J. N. GUPTA: Will the Hon'ble Minister be pleased to state if Mrs. Ispahani has acquired Bengali language?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am not aware of that. I might make enquiries.

Overseas scholarships.

195. Mr. ABDUL KARIM: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) whether five overseas scholarships are going to be awarded this year including one Lytton Scholarship and one Mohsin Scholarship;

(*ii*) whether candidates for those scholarships were called for an interview by a Selection Board;

(*iii*) whether it has been decided not to award any of these scholarships to degree-holders in Arabic or Islamic studies; and

(*iv*) whether one of these scholarships has been earmarked for a son of the Registrar of the Dacca University?

(*b*) If the answers to (*a*) (*iii*) and (*iv*) are in the affirmative, will the Hon'ble Minister be pleased to state the reasons why all the candidates were asked to appear for interview before the Selection Board?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) to (*iii*) Yes.

(*iv*) No scholarship has been earmarked for any student, but it so happens that the son of the Registrar, Dacca University, has been considered eligible, and has been awarded the Lytton Moslem Scholarship.

(*b*) All the applicants were not called for interview, but only those who were considered suitable by the Preliminary Selection Board.

Mr. ATUL KRISHNA GHOSE: With reference to answer (*iv*), will the Hon'ble Minister be pleased to state the qualifications of the son of the Registrar for which he was given the scholarship?

The Hon'ble Mr. A. K. FAZLUL HUQ: I cannot say that. All of them were Honours men of the Dacca and Calcutta Universities and their eligibility was considered by a special committee of three persons.

Maulvi ABDUL WAHED: With reference to answer (*iii*) in the affirmative, will the Hon'ble Minister be pleased to state the reasons thereof?

The Hon'ble Mr. A. K. FAZLUL HUQ: The reason is that there is a demand for graduates in other subjects and we have already awarded scholarships to decree-holders in Arabic or Islamic studies.

Mr. ATUL KRISHNA GHOSE: Will the Hon'ble Minister be pleased to enlighten us whether there were candidates with similar qualifications as possessed by the son of the Registrar of the Dacca University?

The Hon'ble Mr. A. K. FAZLUL HUQ: I looked into the case after the question was put and I was satisfied that he was exceptionally brilliant.

Rangpur Normal School and its Muhammadan Hostel.

196. Maulvi MD. ABDUS SHAHEED: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) the number of students in the Rangpur Normal School;

(*ii*) how many of them are Muhammadans; and

(*iii*) whether there is any boarding house either for the Muhammadan or Hindu students?

(*b*) Is the Hon'ble Minister aware that there is a vacant building formerly used as a boarding house for the Rajbanshi (Khatriya) students?

(*c*) If the answer to (*b*) is in the affirmative, how long has this building been vacant and for what reasons?

(*d*) Are the Government considering the desirability of starting a Muslim hostel for the Rangpur Normal School?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) 66.

(*ii*) 31.

(*iii*) There is a boarding house attached to the school for the Hindu students only. The Muhammadan students live in a privately managed hostel.

(*b*) The building is not vacant at present.

(*c*) The question does not arise.

(*d*) There is a proposal for the construction of a Muslim hostel attached to the school. Steps are being taken to mature the scheme.

Stipends to Scheduled Castes students.

197. Babu KSHETRANATH SINGH: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) the total number of Scheduled Castes students who received stipends from the Rs. 5 lakhs grant;

(*ii*) the total number of Scheduled Castes students in each college;

(*iii*) how many of them received stipends; and

(*iv*) how the quota for each college was fixed?

(*b*) Will the Hon'ble Minister be pleased to state whether territorial jurisdiction of each college was taken into consideration in fixing the quota?

(*c*) Is the Hon'ble Minister aware that students from Rangpur, Dinajpur and Jalpaiguri, generally attend the Rangpur College?

(*d*) Are the Government considering the desirability of taking population as the basis for distribution of stipends in each division and its districts?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) to (*iii*) A statement is laid on the table.

(*iv*) The number of stipends for each college was fixed with reference to the number of eligible Scheduled Castes students in it and the limit of the funds available.

(*b*) and (*d*) No.

(*c*) Yes.

Statement referred to in the reply to clauses (a) (i) to (iii) of unstarred question No. 197, showing the list of Scheduled Castes students, college by college, in Bengal, 1938.

	Name of college.	Number of Scheduled Castes students as reported by Principal.	Number of Scheduled Castes college students who received stipends out of Rs. 5 lakhs grant.
1.	Bangabasi College ..	56	23
2.	Rajendra College ..	21	9
3.	Dacca Eden Intermediate College ..	1	1
4.	Bankura College ..	18	7
5.	Berhampore K. N. College ..	3	3
6.	Serampore College ..	1	1
7.	Cooch-Behar College ..	1	1
8.	Dacca Salimulla College ..	11	4
9.	Dacca Jagannath Intermediate College ..	13	8
10.	P. C. College, Bagerhat ..	31	16
11.	B. M. College, Barisal ..	58	27
12.	Rajshahi College ..	5	4
13.	Narial Victoria College ..	10	5
14.	Dacca Intermediate College ..	13	8
15.	St. Paul's Cathedral ..	1	1
16.	Scottish Church College ..	8	2
17.	Pabna Edward College ..	5	4
18.	Daulatpur Hindu Academy ..	79	33
19.	Ashutosh College ..	7	5
20.	Ripon College ..	37	18
21.	Chittagong College ..	1	1
22.	Narasingha Datta College ..	1	1
23.	Vidyasagar College ..	14	8
24.	Comilla Victoria College ..	28	16
25.	Feni College ..	15	4
26.	P. K. College, Contai ..	1	1
27.	Karatia Saddat College ..	12	6
28.	A. M. College, Mymensingh ..	11	7
29.	City College ..	31	17
30.	Rangpur Carmichael College ..	28	13
31.	Presidency College ..	9	1
32.	Krishnagar College ..	1	1
33.	Hooghly Mohsin College ..	1	1
34.	Bethune College ..	1	1
	Total ..	533	258

Mr. SURENDRA NATH BISWAS: Will the Hon'ble Minister be pleased to state what was the criterion for selecting students among the Scheduled Castes for giving stipends?

The Hon'ble Mr. A. K. FAZLUL HUQ: Selection was made by a Committee and the final order was passed on the recommendation of the Special Officer.

Mr. SURENDRA NATH BISWAS: My question was "what was the criterion"?

The Hon'ble Mr. A. K. FAZLUL HUQ: Poverty, standing in the class, merits, all combined.

Scheduled Castes gurus in Pabna Guru-training School.

198. Babu MADHUSUDAN SARKAR: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) how many *gurus* are at present getting their training in the Guru-training School at Pabna; and

(*ii*) how many of them are—

(1) Caste Hindus,

(2) Scheduled Castes, and

(3) Muhammadans?

(*b*) Is the Hon'ble Minister aware that adequate number of *gurus* belonging to the Scheduled Castes cannot secure admission there?

(*c*) Do the Scheduled Castes candidates get any special preference for admission in the said school?

(*d*) Are there any seats reserved for them?

(*e*) If the answer to (*d*) is in the negative, are the Government considering the desirability of reserving seats there to accommodate increased number of Scheduled Castes candidates?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) (*i*) 40.

(*ii*) (1) 6, (2) 4 and (3) 30.

(*b*) There were altogether 9 candidates from the Scheduled Castes for admission into the school for the current session. Four of them were found fit for admission and were admitted. No candidate from the Scheduled Castes who had even tolerably passed the test was refused admission.

(*c*) Yes. A Scheduled Castes candidate is given preference to a candidate from another community when they are of equal merit.

(*d*) No.

(*e*) No reservation seems necessary till duly qualified candidates from the Scheduled Castes are forthcoming in adequate numbers.

Babu MADHUSUDAN SARKER: Will the Hon'ble Minister be pleased to state whether there is any direction from Government to invite a fixed number of candidates from respective communities to appear at a test examination?

The Hon'ble Mr. A. K. FAZLUL HUQ: I would like to have notice.

Babu MADHUSUDAN SARKER: Will the Hon'ble Minister be pleased to state if he is in a position to state the number of Scheduled Caste candidates appearing this year?

The Hon'ble Mr. A. K. FAZLUL HUQ: Without notice I cannot answer this question.

Increased allowance to teachers of secularised maktabs.

199. Mr. JASIMUDDIN AHMED: (*a*) Is the Hon'ble Minister in charge of the Education Department aware—

(*i*) that 50 per cent. increased allowance to teachers of secularised maktabs has remained stationary for a considerable length of time; and

(*ii*) that there has not been adequate increase in the number of secularised maktabs in various districts?

(*b*) If the answers to (*a*) are in the affirmative are the Government considering the desirability of increasing the amount of grant of secularised maktabs in future?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*) Yes

(*b*) No. The solution does not lie in increase to the grants but in the weeding out of inefficient and superfluous institutions, thereby ensuring a better distribution of the money available for grants.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if he is aware that an expert who was called upon to serve on a Committee for Primary Education expressed the opinion that education in Bengal should as far as practicable be non-secular?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am not aware of that.

Dr. NALINAKSHA SANYAL: Will the Hon'ble Minister be pleased to state if the Government consider the desirability of taking public opinion as to whether the people of Bengal desire religious teachings in schools or not?

The Hon'ble Mr. A. K. FAZLUL HUQ: At the present moment I do not think there is any necessity, because we have got already a very good literature on the subject.

Dr. NALINAKSHA SANYAL: I am afraid I have not been sufficiently clear. I asked one question and the Hon'ble Minister gave me a different reply. The question relates to salaries paid to teachers in secularised maktabs. My question to the Hon'ble Minister was whether Government is considering the desirability of taking public opinion as to value or otherwise of secularised maktabs or any other *tols* or any other institutions. If public opinion is against it, there is no justification——

Mr. SPEAKER: How do you assume, Dr Sanyal, that in secularised maktabs there is religious teaching?

Dr. NALINAKSHA SANYAL: Because the name indicates it.

Mr. SPEAKER: I am afraid, not.

The Hon'ble Mr. A. K. FAZLUL HUQ: If public opinion is strong on any point, I expect that it will express itself.

Dr. NALINAKSHA SANYAL: Automatically?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes.

Order of Business.

Dr. NALINAKSHA SANYAL: Mr. Speaker, Sir, may I draw your attention to two things which have been causing us some amount of inconvenience? The first is that to-day we have not as yet been informed as to the order of business that the Government are going to take up. We have had a notice to the effect that all remaining business from the previous day will be taken up.

Mr. SPEAKER: I take it that the Money-lenders Bill will be taken up.

Dr. NALINAKSHA SANYAL: We have been informally informed that there are two other Bills which will be taken up earlier. Of course Government have the option to do so.

Mr. SPEAKER: I do not know. I have not been informed either formally or informally as to what the Government propose to do. Any way I feel that the next few days will give us an opportunity to understand the position of all these things.

Dr. NALINAKSHA SANYAL: Let us hear what the Hon'ble Home Minister has got to say on that.

Mr. SPEAKER: The Money-lenders Bill will be taken up after this. That is the ordinary programme.

The Hon'ble Khwaja Sir NAZIMUDDIN: That is the programme, Sir.

Dr. NALINAKSHA SANYAL: Another point is that we have yet a large number of questions unreplied to

Mr. SPEAKER: Owing to the heavy sittings of the Assembly I have not found it possible to look into these questions, but I hope to look into the whole matter during the next 4 or 5 days.

Dr. NALINAKSHA SANYAL: We only trust that all the remaining questions will not be put together on the last day.

Mr. SPEAKER. As I have said, I am going to look into the whole matter.

Dr. NALINAKSHA SANYAL: The third point is about the Bill that you were pleased to place before us yesterday, and also about the Rules. May we know if any day has been allotted for these?

Mr. SPEAKER: I will give some time to Mr. Ashraf Ali merely to move the Privileges Bill and nothing more for the present. Whether the subsequent stages of the Bill can be taken up or not will be considered later. As regards the Rules, I have not yet heard from Government as to the date they are going to fix.

The Hon'ble Khwaja Sir NAZIMUDDIN: I have already stated that a date would be provided in this session.

Dr. NALINAKSHA SANYAL: There is also another matter, namely, the Public Accounts Committee. We have already had your assurance and that of the Government as well that we will have election at the end of this session. Now, suppose we meet some time next week and have our election we would require some notice for it and some preliminary arrangements for the same.

Mr. SPEAKER: Notice is being issued.

Point of Privilege.

Sj. NARENDRA NATH DAS GUPTA: I submitted a question in March, last. I got a letter, dated the 27th March, asking me whether that question was pending execution by a court of law and I replied immediately. But that very question was replied to in the Upper House and after that I have received a letter to-day saying that it has been admitted.

Mr. SPEAKER: Will you please hand that letter over to the Secretary and I will look into it afterwards.

Mr. SURENDRA NATH BISWAS: We hear that there will be no sitting to-morrow or the day after.

Mr. SPEAKER: That is so.

Mr. SURENDRA NATH BISWAS: May I know when we are going to meet again?

Mr. KIRAN SANKAR ROY: The Hon'ble the Home Minister was about to reply to that question. May we know what he has got to say?

The Hon'ble Khwaja Sir NAZIMUDDIN: I only gave way to Mr. Surendra Nath Biswas who was going to tell the House what should be done.

Mr. SARAT CHANDRA BOSE: He is not yet on the Treasury Bench.

The Hon'ble Khwaja Sir NAZIMUDDIN: Our idea is to request you to adjourn the House till Tuesday, so that the House can meet on Wednesday, the 17th instant.

GOVERNMENT BILLS.

The Calcutta Municipal (Amendment) Bill, 1939.

Mr. SPEAKER: We will now resume discussion on the third reading of the Calcutta Municipal (Amendment) Bill. Is Mr. Shamsuddin in a better mood to-day?

Mr. SHAMSUDDIN AHMED: I was prepared to speak last night, but I am not in a mood to speak to-night. I have discussed with my party the details of the Bill. The opinion of the party has been made known on the floor of this House in a definite manner. We have specifically declared ourselves in favour of joint electorates and abolition of nomination to which even the Hon'ble the Chief Minister agreed only a few months ago. Sir, after this I do not want to say anything more. If there is a division called in this House, my party will not take any part in it.

Mr. SARAT CHANDRA BOSE: Mr. Speaker, the opposition, the uncompromising opposition which we have put forward to almost every clause of this Bill, we desire to maintain at this its final stage. That opposition was put forward because in our view and in the view of the overwhelming majority of the citizens of Calcutta this Bill was a most pernicious measure. (Cries of "hear, hear" from the Congress Benches.) In that opposition we carried with us the sympathies, the convictions and, I may add, the support of the Nationalist Group of this House, of the Krishak Proja Group in this House and of the Independent Scheduled Caste Party in this House. The Ministry may feel some satisfaction at finding us, due to no fault of ours, but due to the Communal Award, the name of which was invoked by the Hon'ble the Chief Minister in the course of his reply the other day, in a position of numerical inferiority. But if we are in a numerical inferiority to-day we have this satisfaction that we are voicing in this House the united opinion of the majority, the overwhelming majority, of the citizens of Calcutta.

Sir, the objectionable clauses of this Bill, to which we have taken exception in the course of the discussions during the last few weeks, and against which we, jointly with the Nationalist Group, the Krishak-Proja Group and the Independent Scheduled Caste Group, have entered our protest, apart from being anti-national and anti-democratic, are opposed to all reason, to all commonse, to all ideas of justice and fairplay, and are further calculated to prejudice the growth of civic consciousness and the expansion of civic freedom. Now, what are the other objectionable features? The first and foremost amongst them is the proposal to substitute the system of communal electorate in the

place of the existing joint electorate. The justification for that change is contained in a few words—the pretended justification for the same is contained in a few words which were contained in the Statement of Objects and Reasons. It is said that Muslim Councillors returned by joint electorates have very largely represented the wishes of the majority community and have not been truly representative of Muslim interests. Sir, I shall answer that by reading out the names of the Muslim members who were returned to the Calcutta Corporation under the system of joint electorate. In the year 1933 when the joint electorate came into force, there were returned to the Corporation, amongst others, Mr. Shamsuddin Ahmed who until recently enjoyed the confidence of the Treasury Benches, Mr. Muhammad Rafiq, Mr. S. M. Yakub, Dr. R. Ahmed, Mr. Haji Muhammad Akbar, Mr. Shamsul Haque, Mr. M. A. H. Ispahani, Mr. A. K. Fazlul Huq who, if I mistake not, is the same person as the Chief Minister, Khan Bahadur Momin, Captain Dabiruddin Ahmed, Mr. M. A. Haque, Mr. Muhammad Ali Khan, Mr. Haji Muhammad Abdur Rezak and Mr. Muhammad Hashim. And may I remind the House that a considerable number of these gentlemen, whose names I have just mentioned, were also returned to the Corporation in previous years under the then existing system of separate electorate. It is now said, Sir, that in the year 1933 when Mr. A. K. Fazlul Huq and others were returned to the Corporation under the system of joint electorate, they were not truly representative of Muslim interests.

It is further said in the Statement of Objects and Reasons that there was an insistent demand for such a restoration. Sir, I have waited in vain in this House day after day, week after week, to hear from the Hon'ble Minister in charge of this Bill as to when and where there was an insistent demand for the restoration of separate electorates. I am well aware that in the year 1936 there was a movement among the leaders of which was the Nawab Bahadur himself for persuading the Muslim community to boycott the Corporation. Sir, I am not against boycott on proper occasions and in proper time, and I am not against non-co-operation on proper occasions and in proper time. But when the Nawab Bahadur and his comrades tried to steal the thunder of the Congress I waited to see what were the grounds on which he was leading the movement for a boycott of the Corporation. And, Sir, I say without any fear of contradiction, having read the literature of these days—fortunately or unfortunately I was not a guest of the Government then—having read the literature that was issued by the Nawab Bahadur and his comrades, I found that the one and the only ground on which that movement had been started was the conduct of certain Councillors of the Corporation regarding percentage in the services. Not one word was said to the effect that the Muslim Councillors, who had been returned to the Corporation under the system of joint electorate, were not truly representative of Muslim interests. I again repeat without

fear of contradiction that the issue of joint electorate *versus* separate electorate was not one of the issues which the Nawab Bahadur and his comrades placed before their countrymen on that day.

Sir, in examining the necessity or otherwise for substituting the system of separate electorate in place of joint electorate, I desire to make a few preliminary considerations and then place before the House certain facts. It is said in the Statement of Objects and Reasons that the Muslim Councillors who had been returned by joint electorates have not been truly representative of Muslim interests. Now, Sir, what are the Muslim interests—I venture to ask—which are referred to in the Statement of Objects and Reasons, whether it is water-supply or whether it is the city's drainage, whether it is town-planning, or whether it is the removal of insanitary *bustees* and the replacement of sanitary *bustees* in their place, whether it is the problem of health coupled with the problem of sanitation, or whether it is the interest of labour, whether it is the system of primary education, or whether it is one of the many beneficent schemes that the Corporation embarked upon from the time to time? There is nothing in the Calcutta Corporation which can be called Muslim interests or Hindu interests or Christian interests. There are no interests which I know of, and no interest has been mentioned in this House which can be described as Muslim interests. I know of civics, but has any one in this House heard in recent times or at any time of Hindu civics or Muslim civics or Christian civics?

Now, Sir, coming to the results which the different communities (and in this connection may I confine myself to Muslim community?) have achieved under the system of joint electorates, the first thing that strikes us is that under the system of joint electorates the number of Muslim voters stood higher than in any previous year. That is borne out by the facts and figures which we find in the records of the Corporation. Under this system of joint electorate, there were cases in which Muslim candidates polled the highest number of votes among the successful candidates. (Cries of "Hear, hear" from the Congress Benches.) Under the system of joint electorate, Bengali Muslims—I mean the children of the soil—were returned in larger numbers than they had been returned under the system of separate electorate. (Mr. K. NOORUDDIN: Question!) I hear Mr. Nooruddin saying "question". I ask him to go through the records of the Corporation and find out for himself how many Muslims were returned under the system of joint electorate, how many of them were children of the soil and how many of them came from outside. If he will examine the figures for one moment, he himself will—however unwilling he may be—bear out the correctness of my statement.

Now, Sir, I come to the vexed question of the services. For I know that it is the one question which, whether in the provincial sphere

or the civic sphere, has been taxing the brains of members of this House. What are the figures? Up to the time we had the official-ridden Corporation, the percentage of Muslim appointments was only eight. When the power that now stands behind the Ministry and is helping them to pilot this Bill in this House was in power in the Corporation, the percentage of Muslim appointments was only eight. From 1924 to 1933, under the system of separate electorate, the percentage of Muslim appointments rose from 8 to 16, and what do you think, Sir, was the percentage when Muslims and Hindus were jointly returned under the joint electorate system? The percentage from 1933, the year in which joint electorate came into force, has been 24.

Sir, in anticipation of any question being put by my honourable friend Mr. Nooruddin, may I give him the figures here and now? From 1933 up to 1937, the total number of vacancies which had been filled up by the Corporation was 1,981, and the total number of Muslims who had been appointed to those vacancies was 473. (MR. ABDUL WAHAB KHAN: Including chaprashis.) (MR. SANTOSH KUMAR BASU: Always thinking of chaprashis!) I wish, Sir, that before making that interjection my honourable friend had satisfied himself with the correctness of the figures and had not raised such a frivolous question in this House. The number of Muslims appointed to administrative posts—not chaprashis—my friend may feel great concern for them—we also have concern for them—the number of Muslims appointed to administrative posts in the Corporation was 473 out of 1,981, which works out to a percentage of more than 25. Sir, after this will there be any one here who will be bold to maintain on the basis of facts and figures that Muslim interests have been prejudiced by the Muslim members who were returned under the system of joint electorate?

Now, Sir, that is not all. Take the grants to Muslim charitable institutions and hospitals. Sir, I am not overstating the case for the Corporation if I say that there were hardly any grants made by the Corporation when it was official-ridden to Muslim charitable institutions and hospitals. Those grants are increasing year after year in consideration of the merits of those institutions. Take the grants to what are known as exclusively Muslim hospitals. They have increased by leaps and bounds ever since the introduction of joint electorate in the Corporation. Sir, I am speaking from facts and figures and not giving play to my imagination. Then again take the spread of primary education. Compare it with what was done by the official-ridden Corporation up to 1924. When you come to primary schools, the position in 1936-37 was that 169 schools had predominantly Hindu pupils and as many as 61 schools had predominantly Muslim pupils; and in the same year the number of pupils rose to 27,570 amongst Hindus as against 6,719 amongst Muslims.

Sir, after I have given a short summary of what was done by the Corporation under the system of joint electorate and after having compared it with the record of the Corporation up till the year 1924, when it was in the hands of my friends to my left—I mean the Europeans, and when I compare it with the record of advancement made under the system of joint electorate, I ask now in all seriousness: can anyone maintain at the present day that Muslim interests have at all suffered under the system of joint electorate? I say again, Sir, that there is really no such thing as Muslim interest, as opposed to Hindu interest or Christian interest. The civic interests of the city have been promoted, have been enlarged beyond measure during the years which have rolled on from 1924 onwards, and during those years, if one may single out any period, the years 1933 to 1936 have shown the best record of work that the Corporation has shown in recent times, and that was the period when the Corporation was under the system of joint electorate.

Then, again, I hope the Hon'ble the Chief Minister will bear me out when I say that the first Muslim Mayor was elected by the Corporation during the period that joint electorate was in force, and if I mistake not, Sir, he himself was the first Muslim Mayor of the Corporation.

These are the facts which the Treasury Benches have to meet, have to meet—not by declamation but by countering them by another set of facts based on truth. I say, Sir, that facts are absent, because those facts cannot be manufactured to-day. The records of the Corporation are there; the records speak for themselves, and I would submit, Sir, that it would be a travesty of truth to say that the Muslim Councillors returned through the joint electorate have not been truly representative of Muslim interests.

Now, Sir, coming to the next objectionable feature of this Bill, namely, the distribution of seats among the different communities, what are the facts? May I, first of all, place before this House two statements which were circulated among the members of the Select Committee at the instance of the Government of the day? Statement No. I reads in this way:—Constituency—Muslim: population—280,867: percentage of population—24·7 or 25 per cent.: the number of seats to which the community is entitled out of a total of 84 elected seats including 12+2 special seats—21: the number of seats proposed to be allotted —22: difference which means weightage—1.

Now let us come to what are known as general constituencies: population is given as 840,480: percentage is given as 73·6 or 74 per cent.: number of seats to which the community is entitled out of a total of 84 elected seats—62: number of seats proposed to be allotted—46: difference which means deduction—16. The facts speak for themselves.

Now, coming to the second statement which gives the number of seats to which the different communities are entitled: out of a total of 70 elected seats—now 71—excluding 14 special seats, the number of seats to which the Muslim community is held to be entitled is 18: the number of seats proposed to be allotted is 22: the difference which means weightage is 4. But when you come to the general constituencies, what do you find? It is stated in Statement No. II that the number of seats to which the community is entitled out of a total of 70 elected seats is 51: number of seats proposed to be allotted is 46: the difference, that is, deduction, is 5.

Sir, having read these two statements submitted by the Government, may I ask on what basis one community is given weightage and another community is presented with a deduction of 16 in the first case and of 5 in the second case? Sir, as I said a few moments ago, the figures supplied by the Government speak for themselves. But that is not all. May I in this connection draw the attention of the House to a few more figures? May I tell the House what was the approximate number of Muhammadan electors on the final electoral roll at the fifth municipal general election? The number was 8,387. 8,387 voters are given 22 seats under the present Bill, working out at one seat for 381 voters. The general constituencies claimed at the same election as many as 70,244 voters and they have been given only 47 seats, working out at one seat per 1,500 voters. Again, I say that is not all: coming to the percentage of different communities in the matter of payment of rates and taxes, we find that the Muslim community pay 5·01 per cent. of the rates and taxes. We also find that the percentage which the Europeans, the Anglo-Indians and the Jews combined can claim excluding Government, Port Commissioners, Railways and the Calcutta Improvement Trust is, according to the Corporation figures, only 12·4 per cent. The Hindu community's percentage of the total rates and taxes is nearly 80 per cent., if not more. On those figures can any one justify putting the majority community in the position of a minority community—a community which has for the last 50 years and more paid an overwhelmingly large percentage of the rates and taxes which has enabled this city to be built in the manner in which it has been built, which has enabled this city to grow in the manner in which it has grown, which has enabled the Corporation to minister to the needs of all citizens alike, whether they are Hindus, Muslims, Christians or Sikhs, which has enabled the Corporation to impart primary education to the children of all the citizens of Calcutta including the poorer classes, without distinction of race, caste and religion? Can any one maintain that the figures which have now been allotted to the majority community are based on justice? Sir, the House will not misunderstand me. I and my party are not among those who have asked or will ask in future for the reduction of a single seat so far as the Muslim community is concerned. We have not taken up that position, we do

not propose to take up that position and we shall not take up that position in future, but what we demand in the name of justice and fair play is this: the principle on which you have allotted 22 seats to the Muslim community is the principle which you ought to have followed yourselves in determining how many seats the majority community is entitled to in the Council Chamber or the Corporation.

Now, Sir, I come to the third objectionable feature of the Bill, namely, the system of nomination. Sir, it is a system which has been time and again condemned by all sections of this House. But, nevertheless, it is a system which is sought to be perpetuated in this Bill. Not long ago from the Treasury Benches we got the answer that the system of nomination was disapproved by them too. But when we come to actual practice, we find that that system is being perpetuated in spite of their declaration to the contrary. It is a system, which,—every reasonable human being will agree with me when I say—is anti-democratic: it is a system which may also be described as anti-diluvian. But still, notwithstanding the professions and declarations made by the members of the Treasury Benches, that system is being perpetuated. (A VOICE FROM THE COALITION BENCH: What about the Congress Working Committee?) I am thankful for that interjection. The Congress Working Committee is nominated by the Congress President: so is the Council of Ministers nominated by the Governor of Bengal, so are the members of the Executive Council of the Government of India nominated by the Governor-General of India. I wish my friend who made this interjection had paused one moment to realise the meaning or the folly of his interjection! Sir, in all civilised countries, whether it is Great Britain, America, France or any other country, the constitutional head always nominates his Cabinet and similarly the constitutional head of the Indian National Congress nominates his Cabinet: the constitutional head of the Muslim League also nominates his Cabinet. I believe that possibly my honourable friend who made the interjection forgot that fact in the enthusiasm of the moment, in his enthusiasm to condemn the Congress, and thought that there was an analogy between the system of nomination to the civic councils and the system of nomination that exists in Government, or in Congress or in any other political organisation. Now, Sir, this system of nomination is responsible for depriving the members of the Scheduled Castes in Calcutta of their legitimate rights; instead of the opportunity—I shall not use the word "opportunity", I shall use the word "right"—instead of the right that is theirs to elect their own representatives, to elect representatives in whom they have confidence ——(A VOICE: By separate electorate) no, not by the system of separate electorate, but by the system of joint electorate; instead of that right being conceded to them, that right has been trampled under foot and members of the Scheduled Castes who number thousands and thousands in Calcutta have now to look to the crumbs that fall from the Ministerial table. That is not a state of things which any respectable human

being will approve of—that is not a state of things which any respectable human being ever conceived of when this measure was brought before this House.

Now, Sir, I have put before you shortly the reasons for which we on this side of the House put forward strenuous opposition to almost all the clauses of the Bill.

There is only one other matter which I desire to refer to in this connection and it is the reply which the Chief Minister gave to a question which I put to him with your leave, requesting him to declare the basis on which these figures had been worked out,—the figures allotted to the different communities. Sir, the statement which he made in reply to the question I put him was a rambling or a random statement in which he referred to the Government of India Act; and he also referred to the iniquitous Communal Award. Sir, I was glad that he joined with us in condemning the Communal Award. I agree with him that under the Communal Award of Ramsay Macdonald the Muslim community have not got the number of seats which they were entitled to have in this House. But may I ask him at the same time to tell the House if the Hindu community under that Communal Award got the number of seats which was their due? If the Muslims have been deprived of their legitimate number of seats, have not the Hindus been deprived of more, far more than what the Muslims have been deprived of? Let us agree at this moment, to combine for the purpose of condemning the iniquitous Communal Award of Ramsay Macdonald. But that was no answer to the question which I put to the Chief Minister asking him what was the basis on which these figures had been worked out. What was the policy underlying these figures? To that question I received no reply. Whether it was due to the fact that there was no policy or basis he could think of or whether there was an apprehension in his mind that if he were to admit or declare the policy or the basis, he would miserably fail, or whether it was due to his constitutional inability to make a clear and understandable statement on an important point at issue, I do not know. But this we know that in his reply he went into all facts other than those which had a bearing on this question of figures. I therefore say and I think I have a right to say that the Hon'ble the Chief Minister's reply was a confession of his own weakness so far as the allotment of seats to the different communities is concerned. The figures which I have given to you from the Government's statement delivered to the members of the Select Committee show that there is really no basis, no justification for putting the majority community into a state of minority and after all what have the majority community done to deserve this unfair, this unjust treatment? I have not had any answer yet from the Treasury Bench during the long discussion we had. But looking

into the records of the proceedings of this House,—unfortunately, Sir, due to circumstances beyond my control I happened to be absent on that day,—I find that the answer was furnished by Sir George Campbell, the then Leader of the European Group. The answer he gave was that they entirely disapproved of a strong political party getting control over the Corporation. Sir, when I read that speech of his, I felt staggered. I asked myself "stand Britishers where they did," that one of their representatives and the Leader of the European Group should stand up in this House and say that we object to a political party getting control over the Corporation. He said further and that is the real reason for the way in which these figures have been worked out, I was almost going to say concocted. He said "we feel it is worthy of a trial to get more evenly balanced power in the Corporation." It was an echo of the words which Sir Alexander Mackenzie used when he enacted the Act which is known as the Mackenzie Act. That measure was enacted by the same power whose representative to-day, in this House, is Sir George Campbell. Sir Alexander also used words almost similar to those of Sir George. He said, "Let there be one lot of elected councillors, the same number of nominated councillors and let there be a Chairman above them and over them, so that the casting vote of the Chairman may be decisive of any and every important question and every important problem that may be dealt with for the moment." Evenly balanced power then as now!

Sir, I do not like to detain this House for an unnecessarily long time. I would thank the honourable members for the indulgence which they have already shown. It is an indulgence not shown to me personally; it is an indulgence which they have to show, and each and every one of us have to show to correct facts and figures; it is an indulgence which is not shown to a member of the Congress Party, but it is an indulgence which every member of the House has to show to unchallenged and unchallengeable records. This being the record, I say, Sir, that this Bill stands self-condemned. This Bill I shall describe as one of the most iniquitous measures of the recent times. Looking back to the past, may I remind this House that this city was robbed of this small amount of civic freedom which it had up to the year 1899 and robbed by Sir Alexander Mackenzie, the then Lieutenant-Governor of Bengal. That Act of Sir Alexander Mackenzie led the late Surendra Nath Banerji and his comrades and followers to adopt an attitude of hostility, an attitude of justified hostility towards the powers that were then ruling Bengal, but at the time of walking out of the Corporation the late Surendra Nath Banerji indulged in a prophecy which came true within a quarter of a century. I still remember his words, the words are ringing in my ears. In the year 1923 he said with justifiable pride "I have witnessed the rebirth of

the city of my birth robed in the mantle of freedom." That mantle is now sought to be desecrated by hands profane. I say so not in anger but in sorrow. That mantle is now sought to be desecrated, torn to pieces, cast to the winds; but the indomitable persistency, the determination to "surrender not" which was Sir Surendra Nath's and which inspired his countrymen and within the next 25 years led them to victory, inspires us still.

The noble edifice which he erected on the foundations of mutual love, mutual toleration and mutual co-operation is now sought to be razed to the ground and in its place a miserable structure is sought to be raised based on foundations of mutual suspicion, mutual jealousy, and mutual unhealthy rivalry. We may go out of this House to-day after losing this fight. But may I tell members of this House with whom I have worked for the last two years and more that indomitable persistency and determination to surrender not are the priceless legacies which the late Sir Surendra Nath Banerjee handed down to us? Sir, we may lose in this House. I know we are faced with that. But I have hope, faith and confidence in the future. I have the courage to resist this Bill and to resist it until it is removed from the statute book which it is out to disgrace. I have not the slightest doubt that the citizens of Calcutta, Hindus, Muhammadans and Christians, I say Muhammadans on purpose, will combine at no distant time in order to remove this desecration that is sought to be perpetrated in order to re-robe the city of our birth, or of our adoption as the case may be, with the mantle of freedom. Sir, the sons of Bengal, the sons of Calcutta suffered for more than a quarter of a century for the same cause of civic freedom. They met with the same fate for 25 long years and always at the hands of the same power which is now being represented by my friends on the left. But history has shown, and I have no doubt that history will repeat itself, that the citizens of Calcutta as they showed then so will they show now, are able to withstand the same or similar aggression. They will show, Sir, they have the faculty of remembrance of lost freedom. They will show that they have indomitable persistency still in them. They will show, Sir, that they have still that determination not to surrender to the forces of reaction; and with the combined help of the citizens of Calcutta, Hindus, Muhammadans and Christians, I feel sure that this Bill which you are now going to put on the statute book will be removed ere long. With these words, Sir, I oppose the motion that the Bill be passed.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, it is a matter of the deepest regret to me that at this stage when the curtain is about to fall on the passage of this Bill through this House, my friends Dr. Syamaprasad Mookerjee and Mr. Sarat Chandra Bose have thought

fit to deliver what I cannot but call fighting speeches, while my friend Dr. Syamaprasad Mookerjee has further challenged to a mortal combat not merely the Muslim members of the Coalition Party but practically the 30 millions of the Muslims of Bengal. He has referred to us contemptuously as the tin gods. I reciprocate the sentiments expressed by him in the fullest measure, and I can assure him that we know how to treat these expressions with undisguised contempt. I can assure him that before the world is very much longer he will find what these tin gods are capable of. If my friends of the Opposition have thrown out a challenge, that challenge will be cheerfully accepted, and I wait to see the day when that promised agitation is going to materialise, which will remove from the statute book the Bill which I hope will soon be placed on the statute book with the permanent laws of the land governing the civic administration of this city.

Sir, with the speech of Dr. Syamaprasad Mookerjee I will deal later on. But I will make some reference to the points that have been raised by my friend Mr. Bose and point out to this House the plausible platitudes and the mistaken statements of facts on which he has sought to base his arguments. Let me begin with his remarks on the Communal Award. A few days ago I read out to this House the opinions not of Muslims, not of Europeans, not of Bureaucrats, but of leading politicians belonging to the Hindu community, men like the late Mr. Gokhale, Sir Chamanlal Setalvad, Dr. Rajendra Prasad, and Mr. Rajagopalachariar, who all frankly admitted that in the present state of Indian society, separate electorate for the Muslims is the only conceivable method of giving them proper representation. Now, Sir, may I remind my friend Mr. Bose that this question of separate electorate for Muslims was thoroughly discussed in the year 1916 at Lucknow at a time when my friend Mr. Bose was not politically born and when we, at Lucknow, after days of earnest endeavour, arrived at what is known as the historical Lucknow Pact. And who were the Hindu leaders present then at Lucknow? Sir Surendra Nath Banerjee, Mr. Bhupendra Nath Basu, Mr. C. R. Das, Mr. Ambika Charan Mazumdar, Lala Lajpat Rai, Pandit Motilal Nehru, and Pandit Madan Mohan Malaviya and such others were all there. My friend Mr. Bose was perhaps a boy at school and so he was absent. Had he been present he might have perhaps influenced our decisions to the contrary. All these giants of Hindu political rights agreed without hesitation that separate electorate must be conceded to Muslims, and not for a period only but permanently till the Muslims and Hindus came to some other understanding by mutual consent. You read and you will find it unequivocally expressed that separate electorate for Muslims was the only point on which discussion had centred. On the point regarding the quantity of representation to be given to the Muslims in the various provinces, there was a time

when the whole negotiations were about to break down and after three days of discussion, as is well known to those who have read the history of that pact, we from Bengal conceded that for the sake of coming to an agreement the Muslims of Bengal might accept a representation much lower than that to which we were entitled on population basis. That Lucknow Pact was the basis of the first Reforms known as the Montagu-Chelmsford Reforms, and from 1916 onwards the Indian Congress—I refuse to call it national at the present moment—the Indian Congress has not thought fit to declare from its high pedestal that separate electorate should be condemned and the Muslims should not have separate electorate as being antagonistic to national advancement. (Dr. NALINAKSHA SANYAL: They did.) Might be in a private letter to Dr. Nalinaksha Sanyal; they have not the courage to do that openly. (Dr. NALINAKSHA SANYAL: The Indian National Congress has done it.) (Khan Sahib Maulvi SYED MUHAMMAD AFZAL: Don't interrupt. You should learn from us how to behave in the House.)

Mr. SPEAKER: Mr. Afzal, will it be necessary for me to take steps so that you may be the Speaker! At the same time, Mr. Bose, might I appeal to you that your group should be absolutely silent when the Leader of the House is addressing. When you spoke except, one interruption which gave you a further line of arguments, the proceedings of the House were not interrupted or disturbed in any way.

Dr. NALINAKSHA SANYAL: But the Chief Minister himself was interrupting when the Leader of the Opposition was on his legs.

Mr. SPEAKER: I am requesting Mr. Bose to see that his party does not unnecessarily disturb the proceedings by interruptions.

The Hon'ble Mr. A. K. FAZLUL HUQ: I would leave the Congress alone for the present.

So far as separate electorates are concerned, my friend Mr. Bose has read out to the House the names of several gentlemen who had been elected to the Calcutta Corporation through the medium of joint electorates and he has mentioned that in the year 1933 I was myself elected to the Corporation by a.....(Mr. JOGESH CHANDRA GUPTA: Not in 1936?). I was elected by a system of joint electorate with reservation of seats for Muslims. May I tell the House the real facts because my friend Mr. Bose does not seem to know what the facts actually were. As a matter of fact, I stood as a candidate from Ward No. 19 of the Calcutta Corporation. The total number of voters was roughly about 1,500, of whom about 300 were Muslims and 1,200 were Hindus. The House will be surprised to hear

that that seat was reserved for a Muhammadan; it was only a Muslim who could contest that seat. And a certain gentleman, Mr. Abdul Basit, a pleader of the Police Court, of two or three years' standing, stood against me, and by sheer number of votes of Hindu gentlemen who were all against me, he got himself elected. In that election I could only get 13 Hindu votes. I moved the High Court and in consequence of certain corrupt practices that had been practised, that election was set aside. When I again came forward as a candidate, Mr. Basit could not stand again because he was under a ban on account of his corrupt practices. Luckily for me not one single Muslim candidate came forward to oppose me, and I was elected unopposed. It was therefore no credit to the system of joint electorates that I got into the Corporation at all. It was because they could not find a Muslim to play the part of a scapegoat and therefore there was no contest and no trial of strength on the basis of reservation of seats. (Mr. JOGESH CHANDRA GUPTA: May I enquire if the Hon'ble the Chief Minister remembers that he was given the Congress ticket on the occasion when he came out uncontested?) No, I have not forgotten anything. I was opposed by the Congress, although I was supported by my friend Mr. Jogesh Chandra Gupta. Whether I got Congress ticket or not, it is absolutely beside the point. It is evident that even if a Muslim signs the Congress pledge, if he is unacceptable to the Hindu majority, he can be defeated in a system of joint electorate with a Hindu majority, as was the case with me when I contested a seat with a person of Mr. Abdul Basit's position.

Now, Sir, may I enquire if there is no such thing as Hindu interests or Muslim interests or European interests, why are my Hindu friends so very particular about the system of joint electorate or separate electorate? If there is no such thing as Hindu interests or Muslim interests, would my friend Mr. Bose like to see the whole of the seats being filled by Muslims because the Hindus will have nothing to fear as there is no such thing as Hindu interests? (Dr. NALINAKSHA SANYAL: Yes, if you cease to be Muslims first; and the Hindus are prepared to give the entire number of seats to Muslims through joint electorate.)

Mr. SPEAKER: May I ask, Mr. Bose, once again whether I can expect help from you in this matter of interruption?

Mr. SARAT CHANDRA BOSE: I have given you all the help you require. I only hope the Hon'ble the Chief Minister will not go on putting questions.

The Hon'ble Mr. A. K. FAZLUL HUQ: I have not put any question to my friend Dr. Nalinaksha Sanyal.

Mr. SARAT CHANDRA BOSE: I think he has been putting questions to me, knowing full well that I would not interrupt.

The Hon'ble Mr. A. K. FAZLUL HUQ: Now, Sir, I will try not to embitter the discussion at the present moment by making any..... (Loud and jeering noise from the Opposition.) (At this stage the Hon'ble Mr. A. K. Fazlul Huq spoke something in Bengali.) (Loud laughter.)

As I was just going to point out that my friend Mr. Bose has also told the House that in certain wards the system of joint electorates with reservation of seats for Muslims has secured the highest number of votes. He probably referred to the election in that year when I was a candidate and to the number of votes secured by my friend Khan Bahadur Abdul Momin. May I tell the House that the reason why the Khan Bahadur secured the highest number of votes was the outstanding fact that in that ward the number of electorates were preponderatingly Muslim, and the Khan Bahadur got all the Muslim votes and a few Hindu votes. (Cries of "No, no" from the Congress Benches.) It is no use my friends shaking their heads and crying "No, no." Now, Sir, my friend Mr. Bose has pointed out that in the years when Muslims were elected in the Corporation under the system of separate electorate, the percentage of Muslim appointments was much lower than the percentage of Muslim appointments in those years when Muslims were elected on the basis of joint electorate. May I point out to my friend that it all depends on the circumstances of the time, the persons who are councillors working for all communities, and the earnestness with which they work; it is only then that it is conceivable to consider whether a certain number of seats can be secured for the Muslims or whether the just and legitimate requirements of the Muslim community would be safeguarded or not. It may be, Sir, that the Muslim councillors did not properly discharge their duties towards the Muslim community. But that is no reason for arguing that an election under the joint electorate system with reservation of seats conduces to the representation of a larger number of men more competent to look after the interests of a community than an election under separate electorate.

Dr. NALINAKSHA SANYAL: Sir, may I remind the Hon'ble the Chief Minister that he is wholly wrong?

Mr. SPEAKER: Order, order. You must not interrupt the Hon'ble the Chief Minister.

Dr. NALINAKSHA SANYAL: Sir, his figures are all wrong.

Mr. SPEAKER: Order, order. Please don't interrupt the Hon'ble the Chief Minister.

The Hon'ble Mr. A. K. FAZLUL HUQ: Now, Sir, my friend has referred to the grants to Muslim institutions and hospitals. I know, Sir, something about the working of the Corporation committees regarding such matters. What happens is that a Muslim councillor wants to have some grant for an institution in which he is interested and he makes a pact with one or two Hindu councillors on the principle "You scratch my back and I will scratch yours," and thus the Muslim councillor helps the Hindu councillor with votes in these committee meetings, and *vice versa*. That is how Corporation grants are obtained But there are, Sir, at the present moment, hundreds of deserving Muhammadan institutions which are not getting any grants at all. It is no use arguing that some institutions have got grants. If some institutions have got grants, a hundred others have not got them, and in many cases the grants have gone more to undeserving institutions than to deserving institutions. (Mr. SANTOSH KUMAR BASU: That is also the case in regard to Hindu institutions.)

Sir, I now come to the question of distribution of seats. I wish to go in some detail on this point, because both my friend Dr. Syamaprasad Mookerjee and Mr. Bose have made a complaint that we have tried to be unjust and unfair to the Hindu community and that we have practically reduced it to a state of minority. (Mr. SARAT CHANDRA BOSE: Not practically but absolutely.)

Now, Sir, as honourable members know, in the Corporation, in a House of 93 we have set apart 47 seats for election through general electorate and 46 seats have been distributed as follows: 22 seats for Muslims; 12 seats for Special Constituencies; 2 seats for Anglo-Indians; 2 seats for Labour; and so on. Now, Sir, it is apparent that the 47 seats will practically be all captured by the Hindus. (Mr. JOGESH CHANDRA GUPTA: No.) The two Labour seats will certainly go to the Hindu community as also the one seat which has been allotted to the Port Commissioners. This will make a total of 50 seats. Over and above that, there will be three seats, at least, to be filled in by nomination and, as a matter of fact, there will be 53 seats given to the Hindu community in a House of 93. With this majority, they can expect to have the five aldermen also elected according to their choice. The result will, therefore, be that the Hindus will have 58 councillors and aldermen in a House of 98. Even if we leave out the two doubtful seats, which I cannot say doubtful on an analysis of the figures, the Hindus will have 56 seats as against 42 non-Hindu seats in a House of 98. I ask the House to consider these figures and to give their judgment whether in the allotment of 58 or 56 seats in a House of 98 it is really a trampling under foot the legitimate claims and aspirations

of the Hindu community? (Dr. NALINAKSHA SANYAL: Certainly!) Why can't you keep quiet? What do you mean? (Dr. NALINAKSHA SANYAL: You asked a question.) I never asked you a question. (At this stage there was great uproar.) Sir, I shall not speak any more if I am interrupted in this way.

Dr. NALINAKSHA SANYAL: Dr. Syamaprasad Mookerjee was also interrupted.

Mr. SPEAKER: When Mr. Bose was speaking, only one question was put by Mr. Nooruddin. But if I have to count the number of times that you have interrupted, I think I shall have to take the help of a statistical officer to find it out! Please don't do it.

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I am asking the House to consider these figures. There are 47 seats in the general electorate which we expect will be won by the Hindus. There are two doubtful seats, but I submit that even those two seats are not very doubtful, because the Hindus and non-Hindus are there holding the balance even, and it is just possible that these two seats will also be won by the Hindus. (MR. SARAT CHANDRA BOSE: They have never been filled.) All right. If I leave out these two seats, even so it will come to 45. Then there is one seat for the Port Commissioners. That makes it 46, and the addition of the two Labour seats will make it 48; *plus* three nominated seats, it comes to 51.

Mr. SARAT CHANDRA BOSE: Will the Hon'ble the Chief Minister forgive me if I ask him whether he is taking the two Labour seats as Hindu seats? Is not the constituency built up of Hindus, Muslims and others?

The Hon'ble Mr. A. K. FAZLUL HUQ: I will leave out everything, Sir, which is doubtful. Out of 47 seats, if I leave out the two Labour seats, it comes to 45. If we add to it the one seat for the Port Commissioners, it comes to 46, and then there are the three nominated seats. That makes it 49. The Scheduled Castes are Hindus; they are not Muslims, nor are they Christians. (Laughter.) (Dr. NALINAKSHA SANYAL: They are nominated! Laughter.) Their convenience sometimes makes them Hindus and sometimes Muslims! (Renewed laughter.) That is the real position of the Scheduled Castes.

Now, Sir, as I have pointed out to the House, about the 45 seats there is no dispute. This *plus* the one Port Commissioners' seat and the three nominated seats gives a total of 49 in a House of 93 as against 44 non-Hindus. And I expect, Sir, that if these 49 combine,

they will be able to elect all the aldermen. That means that they will be at least 54. Fifty-four in a House of 93—thus they will be in a majority. (Mr. SARAT CHANDRA BOSE: Splendid!)

Now, Sir, if they have not got seats according to the population ratio, what does it matter? When there is no such thing as Hindu interest requiring protection, why then can it not be left in the hands of Mr. Nooruddin and Mr. Shahabuddin? Why, if there is no such thing in particular as Hindu interest, can't you trust your Muslim brethren? (Laughter.) Now, Sir, if is very good logic. (Babu NARENDRA NARAYAN CHAKRABARTY: It is magic.) It is magic and logic that the Hindus cannot trust the Muslims, but the Muslims must trust the Hindus. Why? Because they are Muslims, because the sky is so high.

Now, Sir, coming to the question of the Bill being a retrograde measure, in what respect is it retrograde? Sir Surendra Nath Banerjee in drafting his Act of 1923 allotted 12 seats to special constituencies in a House of 87 elected members. Sir, we have given the European community the same 12 seats, but in a much bigger House, and to that extent, we have really taken away from them the rights which they enjoyed under the old Act. (Cries of "Oh! oh!" from the Opposition Benches.) No question of "Oh! oh!". Sir Surendra Nath Banerjee gave 12 seats in a House of 87 and we have given them 12 seats but in a House of 93—yet it is a retrograde measure!

Then, Sir, we have heard so much of nomination and its condemnation. Where was Sir Surendra Nath Banerjee's patriotism when he allotted 10 seats for nomination in a House of 82? In a House of 82, he provided for 10 nominated seats and here we have actually reduced the number of nominated seats in a House of 93. We have brought down the figure from 10 to 8. (Interruptions from the Opposition Benches.) যতই বলেননা কেন বিল পাশ হবেই! (Loud laughter.) Now, Sir, the Scheduled Castes, it is said, are to get only 4 seats by reservation and have to depend for 3 seats on the mercy of Government. Forget what little this Government can give. They are, of course, the enemies of everybody! But will you agree to give the Scheduled Castes 7 seats out of this 47. If you agree, I will bring a Bill to-morrow——

Mr. SARAT CHANDRA BOSE: Sir, is that question addressed to me?

The Hon'ble Mr. A. K. FAZLUL HUQ: Yes.

Mr. SPEAKER: I am sorry, there cannot be any reply because there will be a counter-reply and there will be no conclusion.

Mr. SARAT CHANDRA BOSE: Sir, may I give my answer to that question? If the majority community gets the seats to which they are entitled on population basis, they will give the Scheduled Castes all the seats to which they are entitled and even more.

The Hon'ble Mr. A. K. FAZLUL HUQ: If the Muslims get a majority they will give 10 seats to the Scheduled Castes. Now, Sir, I believe, I have been able to dispose of the various features which my friend, Mr. Bose, has called objectionable features of this Bill. I can only now refer to the speech of my friend Dr. Syamaprasad Mookerjee and deal with some of the points that he has raised. He has said that the Coalition Party members are not bound together under any common bond of unity for the public good, but they form a group for the purpose of trampling under foot the legitimate rights of Hindus. A more atrocious perversity of truth was never uttered by any responsible public man on any occasion! The majority party, namely, the Coalition Party, had it in their power really to enact laws to annoy if not to render substantial injustice to the other community, but they have never for a moment faltered from their duty to take care of the rights and liberties of the minority community. There cannot be one single instance quoted——

Dr. NALINAKSHA SANYAL: সে বেশ জানা আছে।

Mr. SPEAKER: Dr. Sanyal, I have the painful duty to warn you that the next time you interrupt, I will have to take recourse to rules by naming you and take necessary steps in the matter.

The Hon'ble Mr. A. K. FAZLUL HUQ: My friend has referred to British Imperialism and to the support which the European Group has given to this Government. Now, in the first place, the division lists have shown that this Bill would have gone through even without the European votes. The Europeans have supported this Bill because fundamentally it is based on all principles of justice and equity. (Cries of "Ah! ah!" from the Opposition Benches.) and because it is really the first step towards the introduction of reforms in the Calcutta Corporation which has long been overdue and which my friends will soon see materialise when the second part will be placed before this House. Sir, on this point of division that has taken place in this House, I cannot but refer to one very significant fact, namely, the question of representation of Muslims through separate electorate. Sir, it is a well-known fact that when that question was specifically discussed, debated and voted upon, we won by a very comfortable majority. Only the other day, when Table B was put before the House, namely, the allocation of seats to Muslims on the basis of separate electorate, votes were taken

and all the Muslim members of this House supported the Government proposals; even the Muslim members who ordinarily vote with the Congress walked into the same lobby with us. Sir, I am therefore, entitled to argue that so far as Muslims are concerned, they unanimously demand that seats should be allocated to them on the basis of separate electorate and they also accept the allocation that has been made by the Government. So far as the Mussalmans are concerned, they unanimously demanded the number of seats to be allotted on the basis of separate electorate, and they also accepted the allocation that was made by the Government. It is no use saying that it is only a section of the Muslim community which demands separate electorate and which has been supporting the Bill. The whole of the Muslim group has supported it, and this voting list will show that not one single Mussalman had the courage to vote against the Bill, and I submit, ——

Mr. SHAMSUDDIN AHMED: That was regarding the allocation of seats.

The Hon'ble Mr. A. K. FAZLUL HUQ: No; I may point out that it was Table B that was put to vote and it spoke of seats reserved in Muhammadan constituencies on the basis of separate electorates; and when column No. 3 regarding allocation of seats was challenged, the whole table was put to vote. The allocation of seats through separate electorates was voted upon by this House. All the Muslim members voted in favour of this part of the Bill. Therefore, there is no point in the argument that only a section of the Muslim community wants separate electorate.

So far as the European Group is concerned, my friend Dr Syamaprasad Mookherjee remarked that the Leader of the European Group said that they had no politics. I think this is a wrong quotation from that speech. All that the European Group wanted to say was that they were no partisans, and that they did not want to identify themselves with any political party, but that they were here merely to support measures intended for the common good irrespective of parties and irrespective of political considerations.

Now, Sir, my friend Dr. Syamaprasad Mookerjee raised a question as to why joint electorates with reservation of seats are being abandoned in Calcutta, while they are now maintained in union boards and local boards and everywhere else in municipalities and district boards. I think the time has come for a declaration that the system of reservation of seats by joint electorates must go. Their days are gone and there should either be separate electorates or voting on a common register without any reservation at all. The system of reservation on joint electorates seems to be an unmitigated and unmixed evil. It

seems to give the minority community some amount of representation, although in reality that is no representation at all. Considering the temper of the various communities at the present moment in this country, does anyone honestly believe that in an electorate where the number of electors is predominantly Hindus, a Muslim, if he could not subscribe to the Hindu point of view, would ever have the slightest chance of getting any vote; similarly, where the electorate is predominantly Muslim, a Hindu who has not got the courage to accept the Muslim point of view will not have the slightest chance of being elected on the basis of Muslim votes? Government is not responsible for the manner in which the Hindus have been treating the Mussalmans and the Mussalmans have been treating the Hindus. My Hindu friends do not understand that you are the most communally-minded people on the face of the earth. They cannot tolerate Muslims demanding their rights. It is because they have become so communal that there is a bitter feeling between the two communities in this country. In olden days the Hindus were not so communal, but at the present moment when the British Government has transferred certain powers to the people, they are scrambling for powers and are trying to keep everything to themselves, forgetting the rights of other communities. That is the reason why the other communities do not trust them and that is the reason why there is the necessity for a separate electorate and other protections for which the minorities have been so long crying.

Now my friends have said that the Calcutta Corporation should have been consulted. The Corporation's views are well known. The Corporation at the present moment is in the position of an accused, and we did not take a formal statement of the accused. We did not like to waste the time by consulting the Corporation.

(At this stage the House was adjourned for 20 minutes.)

(After adjournment.)

Mr. JOGESH CHANDRA GUPTA: May I have your permission just to give one information to the Chief Minister that in ward No. 20 where the Hindu votes were 1,048 and Mussalman votes 689 the majority were Hindu voters, still Khan Bahadur Momin got the majority of Hindu votes? I know this because I happened to work for Khan Bahadur Momin.

The Hon'ble Mr. A. K. FAZLUL HUQ: The figures quoted by my friend Mr. J. C. Gupta do not displace my argument, because in that ward the Muslims were in a predominant position and although they were not in a majority they were an effective minority and the

combination of the Muslim votes certainly enabled Mr. Momin to secure the largest number of votes. However, Sir, that is a minor thing.

In view of the interruptions to which I have been subjected, I hope you will permit me briefly to recapitulate my replies to the various points that have been raised by my friend Mr Bose. He called this Bill objectionable on the ground that we had introduced a system of separate electorate, that we had reduced the Hindu representation considerably, and that we had perpetuated the system of nomination in the Calcutta Corporation. He referred also to British Imperialism and British diplomacy.

Now as regards separate electorates, I have already pointed out that these separate electorates have been accepted as essentially necessary for the purpose of the representation of the Muslim community. Not merely the leading Muslims throughout India but the leading Hindu politicians have recognised the force of logical facts and have admitted that in the present state in which the Indian society is rent asunder by various divisions, separate electorates are the only effective means of giving representation to the various communities and various interests. It is no use going over the same ground again and again, and I repeat that separate electorate will hold the field unless all the communities by mutual agreement decide that this separate electorate should be replaced by any other system of representation. I can declare that at the present moment not merely in Bengal but all over India 99 per cent. of the Muslim community want separate electorate. (A voice: "Question!")

You may question, but in this House out of 123 members over 100 members are in favour of separate electorate and in the great world outside 99 per cent. of the Muslims are definitely in favour of separate electorate. I represent 30 millions, and I am in favour of separate electorate. That is enough for Muslim Bengal, and when I say that the Muslims want separate electorate, that is the last word on the subject and nothing more is necessary. So much for separate electorate.

Now, as regards the question of reduction of Hindu seats, I submit that it is only a bogey. Hindu seats have been slightly reduced. What we have done is, we have practically made it certain that the Congress no longer dominates the Calcutta Corporation because the Congress has failed, and signally failed, in the Calcutta Corporation. We want to put a stop to those nefarious influences of the Indian Congress on the Calcutta Corporation. I don't say that we have succeeded fully. The chances are that the Congress will not have a dominant voice in the Calcutta Corporation.

Mr. SANTOSH KUMAR BASU: The Congress will dominate despite Fazlul Huqs and Suhrawardys.

The Hon'ble Mr. A. K. FAZLUL HUQ: You may say that. But the sting is there, and because the Congress feels that they will not be able to rule the roost as they were doing before, all this clamour is being raised against this Bill. The Bill is not only not bad but is one of the best pieces of legislation.

Sir, so far as the question of the majority community being reduced to a minority is concerned, I have shown by figures that under no circumstances can it be said that the Hindu community has been reduced to a state of minority. They will be still in a majority, but not to the extent to which they are at the present moment. Sir, there is no gainsaying the fact that their majority has got to be reduced to a minority.

Then, Sir, as regards nominations I submit that even Sir Surendranath Banerjea, about whose patriotism there can be no question, recognised the necessity of nominations for the representation of various special interests, and allotted 10 seats for nomination in a House of 92 elected councillors and aldermen

Now, Sir, as regards the Scheduled Castes, about whom so much has been said, if that great apostle of freedom Sir Surendra Nath wanted to see the city of his birth robed in the mantle of freedom, did he do anything for the Scheduled Castes? Did he try to protect the interests of the Scheduled Castes while drafting the Bill of 1923? Did he think that of the Hindu community, 10 per cent. belonged to the Scheduled Castes?

Dr. NALINAKSHA SANYAL: There was then none

The Hon'ble Mr. A. K. FAZLUL HUQ: They were not then in existence! At the present moment we have at least given them two chances: 4 reserved seats with joint electorate and at least 3 seats on the principle of nomination.

Babu KSHETRA NATH SINGHA: You have neutralised the effect.

The Hon'ble Mr. A. K. FAZLUL HUQ: What is the effect? Well, Sir, if the Scheduled Castes could appreciate the good that we have done, they would not be Scheduled Castes. Because they cannot realise who is their friend and who is their foe, that they are in this position. I ask my friend Mr. Kshetra Nath Singha to remember the

care, the love and affection which have been showered upon them by the Caste Hindus during thousands of years! So far as we are concerned, we are trying to render them as much help as possible.

Babu KSHETRA NATH SINGHA: We are grovelling in the same darkness now.

The Hon'ble Mr. A. K. FALUL HUQ: I think I should not take up the time of the House any longer. To my friend Dr. Syamaprasad Mookerjee I can only say that we did not expect a speech in the threatening spirit in which he delivered yesterday. Somehow or other, I may tell him frankly that he has earned the reputation of being one of the most communally-minded men in Bengal.

Dr. SYAMAPRASAD MOOKERJEE: Not like you!

The Hon'ble Mr. A. K. FAZLUL HUQ: Am I a communally-minded Hindu? All right! Under his régime for four years, the Calcutta University earned the reputation of being one of the most communal institutions.

Dr. SYAMAPRASAD MOOKERJEE: You ask your present Vice-Chancellor and he will reply.

The Hon'ble Mr. A. K. FAZLUL HUQ: I know many things not known to many Vice-Chancellors put together. Sir, I know it. My friend Dr Syamaprasad Mookerjee, backed by the Congress Party, is determined not to allow me to speak But before I conclude, let me tell my friend Dr Syamaprasad Mookerjee that he has done the greatest possible disservice to the cause of Hindu-Muslim unity by the speech which he has delivered.

Mr. TULSI CHANDRA GOSWAMI: Question!

The Hon'ble Mr. A. K. FAZLUL HUQ: His threat, his challenge, could but have the effect of separating the Muslim community and widening the gulf between the two communities and thus rendering it impossible for well-wishers of the country to bring the two communities together on a common platform. It is not by challenging one another but by coming forward and extending the hand of fellowship that the interests of the country can be served. It is no use widening our differences and allowing other people to laugh at us. It is not a question whether the Hindus are stronger or the Muslims are stronger.

Mr. SASANKA SEKHAR SANYAL: You are all lions and tigers!

Mr. SPEAKER: I am afraid it is very difficult for me to control the debate with such interruptions. I don't think there is any part of the world in which you will find such constant interruptions as in this House.

The Hon'ble Mr. A. K. FAZLUL HUQ: The only way in which I can reply to all these is to abuse, but I am not in a mood to abuse. I am in a mood to appeal to every one for unity and friendship.

Mr. SANTOSH KUMAR BASU: You are in a Chinashop to-day.

The Hon'ble Mr. A. K. FAZLUL HUQ: After all you will find in me one of the best advocates of Hindu-Muslim unity.

Dr. SYAMAPRASAD MOOKERJEE: You have only to change your colour again.

The Hon'ble Mr. A. K. FAZLUL HUQ: I will change the moment you also change. It becomes very awkward to continue making a speech when there are interruptions from all sides. Let me assure my Schedule Caste friends, whatever they may have said and whatever may have been done towards Government they can expect that those who are now in the Cabinet will always remember that the Scheduled Castes are entitled to special consideration by reason of the fact that they are placed in a position of helplessness, and it is but just and proper that the most adequate consideration should be shown for the protection of their interests. Whether that can be done by reservation of seats from the general electorates or by giving them separate electorates or by nomination are questions and matters of detail. But the principle that has got to be accepted is that the Scheduled Castes interests must be protected and protected in a way that they themselves want their interests to be protected. After all, they are the best judges of their own interests. And whatever may be the developments, it should be the method which is acceptable to the Scheduled Caste community as a whole.

As regards the Anglo-Indian community, we have made a beginning by recognising their political existence as a community and allotting two seats to them. But if they are of opinion that this representation is inadequate, it is not certainly the last word on the subject; Government will be prepared to consider any representation that will be made on behalf of the Anglo-Indian community not merely regarding the method of representation but also the quantity of representation in the Calcutta Corporation controlling the civic interests of Calcutta.

As regards the Indian Christians, it is true that this year they have not been represented in the Calcutta Corporation, but there are as many as five seats which are at the disposal of Government, and it will not be impossible for the moment to represent the interests of the Indian Christians by a system of nomination. If there is any other system which they can suggest for the protection of their interests, that system will certainly receive the most careful consideration of Government.

As regards the representation of females in the Calcutta Corporation, we have not definitely pledged ourselves, but we are prepared to see a convention grow up that there should be sufficient representation of females also on the Calcutta Corporation.

As regards the European Group, it is not for me to hold a brief for them and to defend the interests which they represent in the Calcutta Corporation or to give a tribute to the services which they render to the citizens of Calcutta and the manner in which they have discharged their duty in the Calcutta Corporation. I have been in the Calcutta Corporation in various capacities, and I have myself noticed that the Europeans there have worked with a selflessness and devotion to duty which. .. (Cries of "Oh! Oh!" from the Congress Benches.) You may not agree with me, but you know in your heart of hearts that the Europeans working there have been working solely for the good of the country and not for their personal ends. If European representation is slightly in excess of their numerical strength, it is all to the good of the Corporation. Here is a detached body of persons who are responsible not merely for the good administration of the Corporation, but who are also there to see that all the other interests are sufficiently adjusted in order that justice may be done to all and sundry in the best interests of the city as a whole. (MAULVI ABU HOSSAIN SARKAR: Just like the proverbial monkey?) I must, before I sit down, take this opportunity of telling Dr. Syamaprasad Mookerjkee that I do not admit that either his speech or the speech of Mr. Sarat Chandra Bose represents and reflects the minds of the Hindu community. The Hindu community is not against us. The only persons who are against us are those few——

Dr. NALINAKSHA SANYAL: Is there one single Hindu who supports you in this matter?

The Hon'ble Mr. A. K. FAZLUL HUQ: Those Hindus are no Hindus.

Dr. NALINAKSHA SANYAL: You are the only Hindu here! Have you the courage to say that the Finance Minister supports you?

The Hon'ble Mr. A. K. FAZLUL HUQ: The Hindus who have been opposing us have been doing so for the purpose of overthrowing the present Government in order that they themselves may come into power. You are trying to accept office. You are supporting joint electorate not because this will safeguard the interests of all the communities, but because you want to get into office and have power. You better send in an application and then I shall consider——(Laugher.)

Mr. SARAT CHANDRA BOSE: May I tell the Hon'ble the Chief Minister that there is no one on this side of the House who is so much lost to all sense of decency that he will send in an application to the Hon'ble the Chief Minister?

Mr. SANTOSH KUMAR BASU: Applications will be sent in appropriate form. You will find them! (Laughter.)

The Hon'ble Mr. A. K. FAZLUL HUQ: We will accept the application without court-fees. (Laughter.)

Mr. SHAMSUDDIN AHMED: May I ask——

Mr. SPEAKER: Let the Chief Minister finish first. I will give you an opportunity.

Mr. SHAMSUDDIN AHMED: Before he finishes, I want to ask him a question.

Mr. SPEAKER: Let him finish first.

The Hon'ble Mr. A. K. FAZLUL HUQ: All right, Sir. I have finished.

Mr. SHAMSUDDIN AHMED: In all humility, Sir, I am putting this question to him so that he may answer it himself, because he is an ex-Mayor and because he was a councillor of the Corporation for some time. How can he say that Muslim public opinion has emphatically expressed the view that Muslim councillors in the Corporation, who had been returned by joint electorate, have very largely represented the wishes of the majority community and that they have not been true representatives of Muslim interests? I want an answer from him on this point.

Mr. SPEAKER: That has been answered. I am afraid I cannot allow a discussion on this point.

The motion of the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca, that the Calcutta Municipal (Amendment) Bill, 1939, as settled in the Assembly, be passed was then put and a division taken with the following result:—

AYES—128.

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hafiz, Mr. Mia.
Abdul Hakeem, Mr.
Abdul Hakim, Maulvi.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Hamid Shah, Maulvi.
Abdul Jabbar, Maulvi.
Abdul Kader, Mr. alias Lal Meah.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahab Khan, Mr.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Shaheed, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur Maulvi.
Abul Hosain Ahmed, Mr.
Abul Quasem, Maulvi.
Aftab Ali, Mr.
Aftab Hosain Joardar, Maulvi.
Ahmed Ali Enayetpuri, Khan Bahadur Maulana.
Ahmed Ali Mridha, Maulvi.
Ahmed Hosain, Mr.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Ashrafali, Mr. M.
Aulad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Barat Ali, Mr. Md.
Birkmyre, Sir Henry Bart.
Blomenstock, Mr. L. M.
Brown, Mr. A. O.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Mr. Anukul Chandra.
Das, Rai Sahib Kirit Bhusana
Dass, Babu Debendra Nath.
Edbar, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Fazlul Huq, the Hon'ble Mr. A. K.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Fazlur Rahman (Mymensingh), Mr.
French, Mr. F. H.
Gomes, Mr. S. A.
Gurung, Mr. Damber Sing
Gyasuddin Ahmed Choudhury, Alhadj.
Habibullah, the Hon'ble Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Hamilton, Mr. K. A.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hawkings, Mr. R. J.
Hendry, Mr. David.
Hirtzel, Mr. M. A. F.
Jasimuddin Ahmed, Mr.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kennedy, Mr. I. G.
MacGregor, Mr. G. G.
Mafizuddin Ahmed, Dr.
Mafizuddin Ahmed, Maulvi.
Maguire, Mr. L. T.
Mahtabuddin Ahmed, Khan Bahadur Maulvi.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jagat Chandra.
Maniruddin Akhand, Maulvi.
Marindin, Mr. F. J.
Miles, Mr. C. W.
Millar, Mr. C.
Mohammed Ali, Khan Bahadur.
Mohsin Ali, Mr. Md.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Muhammad Solaiman, Khan Sahib Maulvi.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagawwal Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar.
Nasarullah, Nawabzada K.
Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.
Nooruddin, Mr. K.
Norton, Mr. H. R.
Rahman, Khan Bahadur A. M. L.
Raikut, the Hon'ble Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Razaur Rahman Khan, Mr.
Ross, Mr. J. B.
Roy, the Hon'ble Sir Bijoy Prasad Singh.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.

Sarkar, Babu Mudhusudan.
Sarker, the Hon'ble Mr. Nalini Ranjan.
Sassoon, Mr. R. M.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja. C.B.E.
Shamsuddin Ahmed Khondkar, Mr.
Sirdar, Babu Litta Munda.
Smith, Mr. H. Brabant.
Steven, Mr. J. W. R.
Suhrawardy, the Hon'ble Mr. H. S.
Tamizuddin Khan, The Hon'ble Mr.
Tofel Ahmed Choudhury, Maulvi Haji.
Walker, Mr. W. A. M.
Wordsworth, Mr. W. C.
Yusuf Ali Choudhury, Mr.
Zahur Ahmed Choudhury, Maulvi.

NOES—65.

Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Banerji, Mr. P.
Banerjee, Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Banerjee, Mr. Sibnath.
Banerjee, Dr. Suresh Chandra.
Barma, Babu Promhari.
Barman, Babu Shyama Prosad.
Barman, Babu Upendra Nath.
Basu, Mr. Jatindra Nath.
Basu, Mr. Santosh Kumar.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Bose, Mr. Sarat Chandra.
Chakrabarty, Mr. Jatindra Nath.
Chakrabarty, Babu Narendra Narayan.
Chattopadhyay, Mr. Haripada.
Chaudhuri, Rai Harendra Nath.
Das, Babu Mahim Chandra.
Das, Babu Radhanath.
Das, Gupta, Babu Khagendra Nath.
Das Gupta, Dr. J. M.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Dutta Gupta, Miss Mira.
Ghose, Mr. Atul Krishna.
Goswami, Mr. Tulsi Chandra.
Griffiths, Mr. C.
Gupta, Mr. Jogesh Chandra.
Jalan, Mr. I. D.
Khaitan, Mr. Debi Prosad.
Kumar, Mr. Atul Chandra.
Mahtab, Maharajkumar Uday Chand.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemprova.
Mandal, Mr. Jogendra Nath.
Mookerjee, Dr. Syamaprasad.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. B.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasker, Mr. Hem Chandra.
Naushor Ali, Mr. Syed.
Pain, Mr. Barada Prosanna.
Pramanik, Mr. Tarinicharan.
Roy, Mr. Charu Chandra.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Roy, Mr. Kisheri Pati.
Roy, Rai Bahadur Kshirod Chandra.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Sen, Rai Bahadur Jogesh Chandra.
Sinha, Srijut Manindra Bhusan.
Sur, Mr. Harendra Kumar.
Tapuriah, Rai Bahadur Moongtu Lall.
Thakur, Mr. Promatha Ranjan.
Waliur Rahman, Maulvi.

The Ayes being 128 and the Noes 65, the motion was carried.

The Bengal Money-lenders Bill, 1938.

Mr. SPEAKER: We will now take up the Bengal Money-lenders Bill formally, but I do not think it will be possible to begin seriously the discussion to-day. The House will meet again on Wednesday next. I hope everybody would come ready to begin with the Money-lenders Bill on the next day. That is the next item in the agenda. In the meantime, I think it will be better, as I suggested, if it would be possible for Government members as well as the Opposition and the

other groups of the House to meet together to find out the plan by which we can tackle this Bill. It is very important to find out which are the sections which we should take up first. There are probably four or five sections which are the vital clauses of the Bill. After they are finished, then the really contentious provisions of the Bill will be discussed and everybody will be able to get a proper perspective of the whole Bill itself. From that point of view, we may consider as to how we can approach this question. I take it that it is the idea of everybody that we will take up the definition clause first.

Dr. NALINAKSHA SANYAL: Sir, may I submit for your consideration and the consideration of the House (Interruptions from the Coalition Benches.) The question of procedure regarding the Moneylenders Bill and how the Bill has got to be examined by the House requires very serious examination and if my friends are not inclined to apply their mind on this important piece of legislation with the seriousness that it demands, I think it is better that you postpone it till another day. So far as I am concerned, I may draw your attention to the fact that for such contentious Bills in the House of Commons, there is a provision for meeting as a committee of the whole House. We might then, without the usual formalities of restriction on individual speeches and restriction on specific clauses or amendments, discuss generally the whole question and come to certain definite conclusions on broad lines. If we could first decide such broad questions, it would be very easy for the House later on to take up clause by clause and see how far the individual clauses were or were not in line with the decisions taken by the House earlier in the committee of the whole House. I submit that there are only 5 or 6 important points that need very careful examination. These points may not be taken up just in the clauses covering them because they will, at the same time, have repercussions on other clauses which, of course, will be infringed. Therefore, probably it would be better to have issues stated and those issues discussed first and certain conclusions drawn on them. Of course, I know that there will be some formal difficulty if you, as Speaker, carry on informal discussion in the House because under our rules, there is no such provision for a committee of the whole House, but probably you would be pleased to create a convention that will help in considerably curtailing the time of the House when different clauses are taken up. It would be extremely——

Mr. SPEAKER: That will do, Dr. Sanyal. I think, Dr. Sanyal has raised a really important issue. At present, our rules do not

permit a discussion of the whole Bill in a committee of the whole House, yet in a Bill of such contentious nature, I think it is desirable to take a proper perspective of the entire broad legislative changes that are contemplated with a view not only to helping the discussion and coming to a conclusion, but also probably to shorten the debate. I do not know whether this suggestion would commend to the acceptance of the Hon'ble Minister in charge and the Hon'ble Chief Minister. (Voices of "No," "no" from the Coalition Benches.) Please hear me. I am suggesting this in the best interests of all. What I am suggesting is that if it is possible by agreement of all parties to discuss, not to vote, but to discuss the broad features of the Bill, say, for a day, and then to take up the clauses, it will probably help in the amendments being much more smaller in number; otherwise, the risk is that whereas a point, like the definition of banking, will come once in the definition clause, it is likely to come again in about three other places where banking is coming under restriction. Is it not much better that the entire restriction that you are thinking of imposing on banks should be discussed as a whole? I do not know what procedure will be acceptable to the House. What I suggest is whether it will be convenient for the members of different groups to meet in my chamber on Wednesday next, say, at about 10 o'clock——

The Hon'ble Mr. H. S. SUHRAWARDY. Wednesday afternoon would be more suitable.

Mr. SPEAKER: But then there will be hardly any time left for discussion. I think, morning will be better. However, I will issue a circular to members after consultation with the whips of different parties. I will now adjourn the House.

Adjournment.

The House was then adjourned till 4-45 p.m. on Wednesday, the 17th May, 1939, at the Assembly House, Calcutta.

B. G. Press—1939-40—3154A—800.

Index to the

Bengal Legislative Assembly Proceedings.

(Official Report.)

Vol. LIV—No. 7—Fifth Session, 1939.

1st, 2nd, 4th, 5th, 8th, 9th, 10th and 11th May, 1939.

[(Q.) Stands for question.]

Abduction and criminal assaults

On women in Bengal (Q.) p. 326.

Abdul Bari, Maulvi

Nawab Bahadur's Free Institution, Murshidabad (Q.) p. 109

Abdul Hafiz, Mr. Mirza

Free Primary Board School in Mymensingh pp 433-434

Government grant for the hostel extensions of Karatia College (Q.) p 28.

State scholarships to Muslim students of Bengal Engineering College, Sibpur (Q.) p. 100

Abdul Hakeem, Mr.

Daulatpur Hindu Academy and its Muslim students (Q.) p. 18

Muslim students of the P C College, Bagerhat (Q.) p. 25.

Abdul Hakim Vikrampuri, Maulvi Md.

Food contracts for the Mitford Hospital, Dacca (Q.) pp. 327-328.

Abdul Hamid Shah, Maulvi

Appointment in the departments under the Hon'ble Minister in charge of Judicial and Legislative Department: (Q.) p. 106.

Abdul Jabbar, Maulvi

Charge of the office of President of the Sitgram Union Board, Dinajpur: (Q.) p. 371.

Promotion of senior Muslims to higher grade posts in Dinajpur Collectorate: (Q.) p. 223.

Abdul Karim, Mr.

Overseas scholarships: (Q.) p. 440.

Abdul Latif Biswas, Maulvi

Mrs Ispahani, Assistant Inspectress of Schools, Presidency and Burdwan Divisions (Q.) p. 438.

Abdul Majid, Mr. Syed

Number of recognised High English Schools and Scholarships reserved for certain districts, etc.: (Q.) p. 27.

Abdur Rashid Mahmood, Mr.

Debt Settlement Boards in Sirajganj subdivision, Pabna: (Q.) p. 287-288.

Head Assistants and Judicial Head Clerks in district offices in Bengal: (Q.) p. 227.

Abdus Shaheed, Maulvi Md.

Rangpur Normal School and its Muhammadan Hostel: (Q.) p. 441.

Gratis

Abu Mosain Sarkar, Maulvi

Hardship in certain union boards in Gaibandha subdivision, Rangpur, for want of agricultural loan: (Q.) p. 279.

Abul Fazl, Mr. Muhammad

The Calcutta Municipal (Amendment) Bill, 1939: p. 209.

Accounts of the province

Reports of the Auditor-General of India relating to the—: p 55.

Adjournment Motion

Raised by Maulvi Abu Hossain Sarkar regarding cases of death due to starvation: p. 294.

Adjournment of the House: pp. 89, 167, 222, 275, 322, 370, 432, 478.

Agricultural loan

Hardship in certain union boards in Gaibandha subdivision, Rangpur, for want of—. (Q.) p. 279.

Ahmed Ali Enayetpuri, Khan Bahadur Maulana

Amount spent for the new and old scheme madrassahs in Bengal: (Q.) p. 435.

Ahmed Hosain, Mr.

Re-employment of retired men and extensions of services: (Q.) p. 225.

Distress in riparian areas in Bengal: (Q.) pp. 280-281.

Ahmed Khan, Mr. Syed

Muslim appointments in the Industries Department: (Q.) p. 185.

Staff of the Serampore Weaving Institution: (Q.) p. 233.

Vacancy in the post of Textile Supervisor: (Q.) p. 179.

Allowance(s)

Drawn by members of the Bengal Legislative Assembly for attending Select Committee Meetings: (Q.) p. 392.

Increased—to teachers of secularised maktabs: (Q.) p. 445.

Travelling, daily and conveyance—drawn by members of the Bengal Legislative Assembly: (Q.) p. 399.

Amount

Spent for the new and old scheme madrassahs in Bengal: (Q.) p. 435.

Appointment(s)

In the Bengal Veterinary College: (Q.) p. 386.

In the departments under the Hon'ble Minister in charge of Judicial and Legislative Department: (Q.) p. 106.

In work-charged establishment in Darjeeling Division. (Q.) p. 374.

Muslim—in the Industries Department (Q.) p. 185.

Of clerks in the office of the District Sub-Registrar, Dacca: (Q.) p. 48.

Scheduled castes—in the Damodar and Eden Canal Department: (Q.) p. 373

Asansol

Conciliation Board for the Indian Iron and Steel Workers of—. (Q.) p. 286.

Ashraf Ali, Mr. M. (Deputy Speaker)

Allowances drawn by members of the Bengal Legislative Assembly for attending Select Committee meetings: (Q.) pp. 392-395.

Report of the committee regarding conduct of business of the Assembly: p. 56.

Travelling, daily and conveyance allowances drawn by members of the Bengal Legislative Assembly: (Q.) pp. 400-406.

Ashruddin Ahmed, Mr.

Number of holdings or jotes sold by auction by courts in Comilla from 1930 to 1938: (Q.) p. 117.

Reduction in the number of Civil Courts in Tippera: (Q.) p. 53.

Special Appellate Officer, Comilla Debt Settlement Board: (Q.) p. 94.

Assaults

Abduction and criminal—on women in Bengal: (Q.) p. 326.

Assistant Analyst in Bengal Public Health Laboratory

Necessary qualifications for the post of— (Q.) p. 52.

Attendance: pp. 1, 90, 223, 276, 323, 371, 433.

Auction

Number of holdings or jotes sold by —by Courts in Comilla from 1930 to 1938: (Q.) p. 117.

Auditor-General of India

Reports of the—relating to the Accounts of the Province p. 55.

Azahar Ali, Maulvi

Supersession of claims of senior Muslim clerks for promotion in Faridpur Civil Court: (Q.) pp. 176-177.

Backward Hindu Castes

Recruitment in services from—. (Q.) p. 1.

Bagerhat

Muslim students of the P. C. College, —: (Q.) p. 25.

Bakarganj

Death of a girl due to starvation in—: (Q.) p. 289.

Banerjee, Mr. Sibnath

Calcutta Municipal (Amendment) Bill, 1939: pp. 146-148, 253-257.

Conciliation Board for the Indian Iron and Steel Workers of Asansol: (Q.) pp. 286-287.

Banerjee, Dr. Suresh Chandra

The Calcutta Municipal (Amendment) Bill, 1939. pp. 262-263.

Bankura

Distress for want of food and water in the Sadar subdivision of— (Q.) p. 395.

Barma, Mr. Puspajit

The Calcutta Municipal (Amendment) Bill, 1939 pp. 137-139, 347-348.

Basu, Mr. Jatindra Nath

The Calcutta Municipal (Amendment) Bill, 1939 pp. 197, 414-415.

Basu, Mr. Santosh Kumar

Calcutta Municipal (Amendment) Bill, 1939 pp. 62, 64, 73-77, 128-129, 154-155, 189-190, 193, 236-239, 243-244, 265-266, 273-274, 300, 302-303, 316, 320, 334-335, 343-344.

Point of order. pp. 236-239.

Bengal Sanskrit Association

Working of—. (Q.) p. 26.

Bhowmik, Dr. Gobinda Chandra

Posts of Honorary Physicians and Surgeons in Calcutta Medical College: (Q.) p. 22?

Bill

The Bengal Money-lenders—, 1939: pp. 476-478.

Calcutta Municipal (Amendment)—, 1939: pp. 56-89, 128-167, 187-222, 235-275, 295-322, 334-370, 406-432, 449-478.

Binnagari Bil in Rangpur: (Q.) p. 122.

Biswas, Mr. Rasik Lal

The Calcutta Municipal (Amendment) Bill, 1939: pp. 58, 142-144, 246-247, 316, 336, 344-346.

Conduct of Subdivisional Officer, North Sadar, Comilla, in connection with some criminal cases. (Q.) pp. 323-324.

Biswas, Mr. Surendra Nath

The Calcutta Municipal (Amendment) Bill, 1939: pp. 70-73, 131, 133, 144-146.

Relief to the flood-affected people of Faridpur: (Q.) p. 10.

Bogra District Board

Expenditure by the—for exhibitions and purchase of stud bulls (Q.) p 173.

Bongaon subdivision

Scheme of small irrigation works in—as a panacea for floods. (Q.) p. 96

Bose, Mr. Sarat Chandra

The Calcutta Municipal (Amendment) Bill, 1939. pp. 63-64, 66, 449-458.

Bridge

Damodar—at Burdwan Sadar Ghat (Q.) p. 105.

Burdwan

Scheduled castes boys in the Primary and Middle English Schools in the district: (Q.) p. 434.

Calcutta Medical College

Honorary Physicians and Surgeons in—: (Q.) p. 22.

Calcutta Municipal (Amendment) Bill, 1939

Clause 1: p. 56.

Clause 2 pp. 56-60.

Clause 3. pp. 60-89, 128-167.

Clause 5 pp. 235-275.

Clauses 6 to 11 pp. 295-322, 334-370, 406-432, 449-478.

Calcutta Rent Act

Hardship caused to Calcutta tenants on account of the expiry of the—: (Q.) p. 174.

Campbell Medical Hospital

Discharged nurses of the small-pox ward of the— (Q.) p. 124.

Canal

Eden—area (Q.) p. 121.

Certain nominated commissioners

Of the Rangpur Municipality: (Q.) p. 168.

Chakrabarty, Mr. Jatindra Nath

Certain nominated commissioners of the Rangpur Municipality: (Q.) p. 168.

Frequent changes in postings of Subdivisional Officer, Kurigram, Rangpur, (Q.) p. 33.

Chakrabarty, Babu Narendra Narayan

The Calcutta Municipal (Amendment) Bill, 1939 pp. 217-220.

Chattopadhyay, Mr. Haripada

Murder cases at Krishnagar, Nadia: (Q.) p. 107.

Chaudhuri, Rai Harendra Nath

The Calcutta Municipal (Amendment) Bill, 1939: pp. 346-347, 359-360.

Chaukidars

Cost of liveries of—of Kurigram subdivision: (Q.) p. 278.

Training of—and dafadars in repairing tube-wells: (Q.) p. 276.

Charge

Of the office of President of the Sitgram Union Board, Dinajpur (Q.) p. 371.

Chittagong

Pension bills dealt with by Treasury Officer, —: (Q.) p. 277.

Civil Courts, Tippera

Reduction in the number of— (Q.) p. 53.

Clerks

Supersession of claims of senior Muslim —for promotion in Faridpur Civil Court (Q.) p. 176.

Comilla

Conduct of Subdivisional Officer, North Sadar,—in connection with some criminal cases (Q.) p. 323.

Debt Settlement Board. Special Appellate Officer: p. 94.

Number of holdings or jotes sold by auction by Courts in—from 1930 to 1938: (Q.) p. 117.

Complaints

In connection with Deb Barman Wards Estate in Dinajpur. (Q.) p. 232.

Compulsory free primary education in Mymensingh: (Q.) p. 113.

Conciliation Board

For the Indian Iron and Steel Workers of Asansol: (Q.) p. 286.

Conduct of business of the Assembly

Further report of the—: p. 56.

Conduct of

Police officers in the Damodar Canal area for realisation of arrear water taxes. (Q.) p. 98.

Police officers during Cossipur-Chitpur riot in March, 1939: (Q.) p. 234.

Police officers in connection with Cossipore-Chitpore riot (Q.) p. 31.

The Sub-Assistant Surgeon, Sadar Hospital, Jessore (Q.) p. 108.

Subdivisional Officer, North Sadar, Comilla, in connection with some criminal cases (Q.) p. 323.

Conservator of Forests

Location of the office of—at Darjeeling: (Q.) p. 228.

Cooling-plant

Working of the— pp. 126-127.

Co-operative organisation

Of fishermen at Goalundo Ghat. (Q.) p. 34.

Cossipore-Chitpore riot

Conduct of police officers in—: (Q.) p. 31

Cost of liveries

Of chaukidars of Kurigram subdivision: (Q.) p. 278.

Cottage industries

Measures for reviving— (Q.) p. 172.

Dacca district

Excise shops settled with different communities in—: (Q.) p. 95.

Dacca

Food contracts for the Mitford Hospital—: (Q.) p. 327.

Damodar Bridge

At Burdwan Sadar Ghat: (Q.) p. 105.

Damodar Canal

Conduct of police officers in the—area for realisation of arrear water taxes: (Q.) p. 98.

Scheduled castes appointments in the —and Eden Canal Departments: (Q.) p. 373.

Darjeeling Division

Appointments in work-charged establishment in—: (Q.) p. 374.

Das, Mr. Anukul Chandra

Working of the Bengal Sanskrit Association: (Q.) p. 26.

Das, Mr. Monmohan

The Calcutta Municipal (Amendment) Bill, 1939: pp. 409-412.

Das Gupta, Babu Khagendra Nath

Discharged nurses of the small-pox ward of the Campbell Medical Hospital: (Q.) p. 124.

Improvement of agricultural lands in Western Duars khas mahals. (Q.) p. 29.

Report of Mr. Stuart, I.C.S. (Special Officer), on grievances of khas mahal areas: (Q.) p. 5.

Western Duars khas mahals. (Q.) p. 16.

Datta, Mr. Dhirendra Nath

The Calcutta Municipal (Amendment) Bill, 1939. pp. 81-82, 187-188, 211-212.

Conduct of police officers in the Damodar Canal area for realisation of arrear canal water taxes: (Q.) pp. 99-100.

Imposition of rural primary education tax in Tippera: (Q.) p. 40.

Daulatpur Hindu Academy

And its Muslim students (Q.) p. 18.

Death

Of detenu Bimal Kumar Adhikary: (Q.) p. 104.

Of a girl due to starvation in Bakarganj: (Q.) p. 289.

Deb Barman Wards Estate

Complaints in connection with—in Dinajpur: (Q.) p. 232.

Debt Settlement Board(s)

Special Appellate Officer, Comilla—: (Q.) p. 94.

Dacca Division. (Q.) p. 21.

Government circular to—regarding instalments for arrear of rents: (Q.) p. 102.

In Sirajganj subdivision, Pabna: (Q.) p. 287.

Detenu

Death of—Bimal Kumar Adhikary: (Q.) p. 104.

Dinajpur Collectorate

Promotion of senior Muslims to higher grade posts in—: (Q.) p. 223.

Dinajpur

Complaints in connection with Deb Barman Wards Estate in—: (Q.) p. 232.

Discharged nurses

Of the small-pox ward of the Campbell Medical Hospital: (Q.) p. 124.

Discussion

On the allocation of time to party leaders. pp. 420, 423.

Distress

For want of food and water in the Sadar subdivision of Bankura: (Q.) p. 395.

In riparian areas in Bengal: (Q.) p. 280.

Distribution

Of money through district boards for supplementing the pay of teachers in primary schools and maktabs for boys: (Q.) p. 292.

District Offices in Bengal

Head Assistants and Judicial Head Clerks in—: (Q.) p. 227.

District School Board, Dacca

Formation of—. (Q.) p. 51.

District Sub-Registrar, Dacca

Appointment of clerks in the office of the—: (Q.) p. 48

Division: pp. 59-60, 86-87, 303-304, 317-322, 351-352, 354-355, 356-359, 362-363, 365-367.

Dutta Mazumdar, Mr. Niharendu

The Calcutta Municipal (Amendment) Bill, 1939. pp. 267-270, 368-370.

Eden Canal area: (Q.) p. 121.

Eden Canal

Scheduled castes appointment in the Damodar and—Departments: (Q.) p. 373.

Education

Compulsory free primary—in Mymensingh: (Q.) p. 113.

Education Committee

Meetings of the scheduled castes—: (Q.) p. 119.

Embankments

Taccavi—in Midnapore: (Q.) p. 328.

Emdadul Haque, Kazi

Cost of liveries of chaukidars of Kurigram subdivision: (Q.) pp. 278-279.

Flood relief in Kurigram subdivision: (Q.) p. 114.

Government circular to Debt Settlement Boards regarding instalments for arrear of rents: (Q.) p. 102.

Observance of "water-hyacinth day": (Q.) p. 3.

Preservation of water-hyacinth: (Q.) p. 3.

Sinking of tube-wells in flood-affected areas in Kurigram: (Q.) pp. 377-378.

Training of chaukidars and dafadars in repairing tube-wells: (Q.) p. 276.

Engineering College

State scholarships to Muslim students of Bengal—, Sibpur: (Q.) p. 100.

Enhanced rent

In Jalamutha and Majnamutha estates of Midnapore. (Q.) p. 5.

Excise shops

Settled with different communities in Dacca district (Q.) p. 95.

Expenditure

By the Bogra District Board for exhibitions and purchase of stud bulls (Q.) p. 173.

Extension of services

Re-employment of retired men and—: (Q.) p. 225.

Faridpur

Supersession of claims of senior Muslim clerks for promotion in—Civil Court: (Q.) p. 176.

Fazlul Huq, the Hon'ble Mr. A. K.

Amount spent for the new and old scheme madrasahs in Bengal: (Q.) pp. 435-436.

Appointment of clerks in the office of the District Sub-Registrar, Dacca: (Q.) p. 48.

The Calcutta Municipal (Amendment) Bill, 1939: pp. 64-66, 136-137, 153, 301-302, 315, 458-474.

Compulsory free primary education in Mymensingh: (Q.) p. 113.

Daulatpur Hindu Academy and its Muslim students. (Q.) p. 18.

Death of a girl due to starvation in Bakarganj: (Q.) p. 289.

Distribution of money through district boards for supplementing the pay of teachers in primary schools and maktabs for boys: (Q.) p. 293.

Formation of Dacca District School Board: (Q.) p. 51.

Free Primary Board School in Mymensingh: (Q.) p. 434.

Government grant for the hostel accommodation of Karatia College: (Q.) p. 28.

Grant of stipends to the students of scheduled castes in high and middle English schools: (Q.) p. 40.

Imposition of rural primary education tax in Tippera: (Q.) p. 40.

Increased allowance to teachers of secularised maktabs: (Q.) p. 445.

Increased cost of secondary and collegiate education: (Q.) p. 50.

Mrs. Ispahani, Assistant Inspectress of Schools, Presidency and Burdwan Divisions: (Q.) p. 438-439.

Meetings of the Scheduled Castes Education Committee: (Q.) p. 119.

Muslim students of the P. C. College, Bagerhat: (Q.) p. 26.

Nawab Bahadur's Free Institution, Murshidabad: (Q.) p. 109.

Number of recognised high English schools and scholarships reserved for certain districts, etc.: (Q.) p. 28.

Overseas scholarships: (Q.) p. 440.

Fazlul Huq, the Hon'ble Mr. A. K. —*contd.*

Rajshahi Basanta Kumar Agricultural Institute: (Q.) p. 29.

Rangpur Normal School and its Muhammadan Hostel. (Q.) pp. 441-442.

Scheduled castes boys in the primary and middle English schools in the Burdwan district. (Q.) p. 435.

Scheduled castes gurus in Pabna Guru Training School. (Q.) p. 444.

State scholarships to Muslim students of Bengal Engineering College, Sibpur: (Q.) p. 100.

Stipends to scheduled caste students: (Q.) pp. 442-443.

Sub-Registry Office at Burichang police-station, Tippera (Q.) p. 49.

Supply of copies of Urdu Kabins in Bengali by Muhammadan Marriage Registrar of Dacca (Q.) p. 121.

Suspension, dismissal and reinstatement of Muhammadan Marriage Registrars (Q.) p. 50.

Training of chaukidars and dafadars in repairing tube-wells (Q.) p. 276.

Working of the Bengal Sanskrit Association (Q.) p. 27.

Fazlul Quadir, Khan Bahadur Maulvi

Pension bills dealt with by Treasury Officer, Chittagong (Q.) pp. 277-278.

Fazlur Rahman, Mr.

Excise shops settled with different communities in Dacca district: (Q.) p. 95.

Fishermen, Goalundo Ghat

Co-operative organisation of—: (Q.) p. 34.

Flood-affected people of Faridpur

Relief to—: (Q.) p. 10.

Flood relief

In Kurigram sub-[illegible] (Q.) [illegible]

Food contracts

For the Mitford Hospital, Dacca: (Q.) p. 327.

Formation

Of Dacca District School Board: (Q.) p. 51.

Free Primary Board Schools in Mymensingh: (Q.) p. 433.

Free Primary Education in Mymensingh
Compulsory. (Q.) p. 113.

Frequent changes

In postings of Subdivisional Officer, Kurigram, Rangpur: (Q.) p. 33.

Jalbandha

Hardship in certain union boards in—subdivision, Rangpur, for want of agricultural loan. (Q.) p. 279.

Ghose, Mr. Atul Krishna

Calcutta Municipal (Amendment) Bill, 1939 pp. 77-78, 195-197.

Conduct of the Sub-Assistant Surgeon, Sadar Hospital, Jessore (Q.) p. 108.

Death of a girl due to starvation in Bakarganj: (Q.) p. 289.

Hardship caused to Calcutta tenants on account of the expiry of the Calcutta Rent Act: (Q.) p. 174.

Gomes, Mr. S. A.

Calcutta Municipal (Amendment) Bill, 1939. p. 250.

Goswami, Mr. Tulsi Chandra

The Calcutta Municipal (Amendment) Bill, 1939: p. 154.

Government circular

To Debt Settlement Boards regarding instalments for arrear of rents. (Q.) p. 102.

Government

Grant for the hostel extensions of the Karatia College: (Q.) p. 28.

Government of India Act, 1935

Provincial Government's opinion on amendments to—: p. 180.

Government service

Persons belonging to different provinces employed in—and posted in Bengal in the Medical Department: (Q.) p. 381.

Grants

Of stipends to students of scheduled castes in high English and middle English schools (Q.) p. 40.

Grievances

Of tenants of Sagaur Island: (Q.) p. 34.

Griffiths, Mr. C.

The Calcutta Municipal (Amendment) Bill, 1939 pp. 217, 406-409.

Gupta, Mr. Jogesh Chandra

The Calcutta Municipal (Amendment) Bill, 1939 pp. 57-58, 128, 130, 134-135, 159, 162-165.

Guru Training School

Scheduled castes gurus in Pabna—: (Q.) p. 444.

Habibullah, the Hon'ble Nawab Bahadur, of Dacca

The Calcutta Municipal (Amendment) Bill, 1939 pp. 84, 86, 197-199, 209-210, 220, 243, 251, 261, 349, 361, 365, 424.

Certain nominated commissioners of the Rangpur Municipality: (Q.) pp. 168-169.

Expenditure by the District Board for exhibitions and purchase of stud bulls: (Q.) p. 173.

Habibullah, the Hon'ble Nawab Bahadur, of Dacca.—*contd.*

Hardship caused to Calcutta tenants on account of the expiry of the Calcutta Rent Act: (Q.) p. 174.

Measures for reviving cottage industries: (Q.) pp. 172-173.

Muslim appointments in the Industries Department: (Q.) p. 185.

Vacancy in the post of Textile Supervisor: (Q.) p. 179.

Staff of the Serampore Weaving Institution: (Q.) p. 233.

Hafizuddin Chowdhury, Maulvi

Appointments in work-charged establishment in Darjeeling Division: (Q.) p. 374.

Hamiduddin Ahmed, Khan Sahib

Compulsory Free Primary Education in Mymensingh: (Q.) p. 113.

Necessary qualifications for post of Assistant Analyst in Bengal Public Health Laboratory: (Q.) p. 52.

Hardship

Caused to Calcutta tenants on account of the expiry of the Calcutta Rent Act: (Q.) p. 174.

In certain union boards in Gaibandha subdivision, Rangpur, for want of agricultural loan. (Q.) p. 279.

Head Assistants

And Judicial Head Clerks in district offices in Bengal: p. 227.

High schools and scholarships

Number of recognised—reserved for certain districts: (Q.) p. 27.

Honorary Physicians and Surgeons

In Calcutta Medical College: (Q.) p. 22.

Hostel

Rangpur Normal School and its Muhammadan—: (Q.) p. 441.

Imposition

Of rural primary education tax in Tippera: (Q.) p. 40.

Improvement

Of agricultural lands in Western Duars khas mahals: (Q.) p. 29.

Increased allowance

To teachers of secularised maktabs: (Q.) p. 445.

Increased cost

Of secondary and collegiate education: (Q.) p. 50.

Indian Iron and Steel Workers

Conciliation Board for the—of Asansol: (Q.) p. 286.

Industries Department

Muslim appointment in the—: (Q.) p 185.

Inspectress of Schools

Mrs. Ispahani, Assistant—, Presidency and Burdwan Divisions: (Q.) p. 438.

Institution

Nawab Bahadur's Free—, Murshidabad: (Q.) p. 109.

Irrigation works

Scheme of small—in Bongaon subdivision as a panacea for floods: (Q.) p. 96.

Ispahani, Mrs.

Assistant Inspectress of Schools, Presidency and Burdwan Divisions: (Q.) p. 438.

Jalaluddin Hashemy, Mr. Syed

Calcutta Municipal (Amendment) Bill, 1939: pp. 78-81, 151-153, 258-259, 364-365.

Jasimuddin Ahmed, Mr.

Distribution of money through district boards for supplementing the pay of teachers in primary schools and maktabs for boys: (Q.) p. 292.

Increased allowance to teachers of secularised maktabs: (Q.) p. 445.

Jessore Sadar Hospital

Conduct of the Sub-Assistant Surgeon, —: (Q.) p. 108.

Judicial and Legislative Department

Appointment in the departments under the Hon'ble Minister in charge of—: (Q.) p. 106.

Kabins

Supply of copies of Urdu—in Bengali by Muhammadan Marriage Registrar of Dacca: (Q.) p. 120.

Karatia College

Government grant for the hostel extension of the—: (Q.) p. 28.

Khals

Re-excavation of—in Midnapore (Q.) p. 123.

Khan, Mr. Debendra Lall

Death of detenu Bimal Kumar Adhikary: (Q.) p. 104.

Khas mahal(s)

Report of Mr. Stuart, I.C.S. (Special Officer), on grievances of—areas (Q.) p. 5.

Western Duars—: (Q.) p. 16.

Krishnagar

Murder cases at—, Nadia: (Q.) p. 107.

Kundu, Mr. Nisitha Nath

Complaints in connection with Deb Barman Wards Estate in Dinajpur: (Q.) p. 232.

Kurigram

Flood relief in—subdivision: (Q.) p. 114.

Sinking of tube-wells in flood-affected areas in—: (Q.) p. 377.

Liveries

Cost of—of chaukidars of Kurigram subdivision: (Q.) p. 278.

Location

Of the office of Conservator of Forests at Darjeeling: (Q.) p. 228.

Madrassahs

Amount spent for the new and old scheme in Bengal: (Q.) p. 435.

Maiti, Mr. Nikunja Behari

Grievances of tenants of Sagaur Island: (Q.) p. 34.

Re-excavation of khals in Midnapore: (Q.) p. 123.

Taccavi embankments in Midnapore: (Q.) p. 328.

Maji, Mr. Adwaita Kumar

Conduct of police officers in the Damodar Canal area for realisation of arrear of water taxes: (Q.) pp. 98-99.

Damodar Bridge at Burdwan Sadar Ghat (Q.) p. 105.

Scheduled castes appointments in the Damodar and Eden Canal Departments: (Q.) p. 373.

Scheduled Caste boys in the primary and middle English schools in the Burdwan district: (Q.) p. 434.

Majumdar, Mrs. Hemaprova

The Calcutta Municipal (Amendment) Bill, 1939: pp. 194-195.

Maktabs

Increased allowance to teachers of secularised—: (Q.) p. 445

Mal, Mr. Iswar Chandra

Enhanced rent in Jalalnutha and Majnamutha Estates of Midnapore: (Q.) p. 5.

Location of the office of Conservator of Forests at Darjeeling: (Q.) p. 228.

Mandal, Mr. Jagat Chandra

Increased cost of secondary and collegiate education: (Q.) p. 50.

Maniruddin Akhand, Maulvi

Rajshahi Basanta Kumar Agricultural Institute: (Q.) p. 28.

Marriage Registrar

Supply of copies of Urdu Kabins in Bengali by Muhammadan—of Dacca. (Q.) p. 120.

Maqbul Hosain, Mr.

Allowances drawn by members of the Bengal Legislative Assembly for attending Select Committee meetings (Q.) p. 392.

Sub-Registry Office at Burichang police-station, Tippera: (Q.) p. 49

Measures

For reviving cottage industries. (Q.) p. 172.

Medical Department

Persons belonging to different provinces employed in Government service and posted in the—: (Q.) p. 381.

Meetings

Of the Scheduled Castes Education Committee: (Q.) p. 119.

Mitford Hospital

Food contracts for the—, Dacca: (Q.) p. 327.

Midnapore

Re-excavation of khals in—: (Q.) p. 123.

Taccavi embankments in—: (Q.) p. 328.

Mookerjee, Dr. Syamaprasad

The Calcutta Municipal (Amendment) Bill, 1939: pp. 415-420.

Muhammad Israil, Maulvi

Compulsory Free Primary Education in Mymensingh: (Q.) p. 114.

Muhammadan Marriage Registrars

Suspension, dismissal and reinstatement of—. (Q.) p. 49.

Mukerji, Mr. Dhirendra Narayan

Eden Canal area: (Q.) p. 121.

Mukherji, Dr. Sharat Chandra

Conduct of police officers during Cossipore-Chitpur riot in March, 1939: (Q.) p. 234.

Mullick, the Hon'ble Mr. Mukunda Behari

Co-operative organisation of fishermen at Goalundo Ghat: (Q.) p. 34.

Debt Settlement Boards, Dacca Division. (Q.) p. 22.

Debt Settlement Board in Sirajganj subdivision, Pabna: (Q.) p. 288.

Government circular to Debt Settlement Boards regarding instalments for arrear rents: (Q.) p. 102.

Nomination from scheduled castes for the post of Special Officer for Debt Settlement Works in Mymensingh: (Q.) p. 437.

Special Appellate Officer, Comilla Debt Settlement Board: (Q.) p. 95.

Mullick, Mr. Pulin Behary

The Calcutta Municipal (Amendment) Bill, 1939: pp. 193-194, 413.

Murder cases at Krishnagar, Nadia:

(Q.) p. 107.

Murshidabad

Nawab Bahadur's Free Institution: (Q.) p. 109.

Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur

Appointment in the department under the Hon'ble Minister in charge of Judicial and Legislative Department (Q.) p. 106.

Number of holdings or jotes sold by auction by Courts in Comilla from 1930 to 1938: (Q.) p. 118.

Reduction in the number of Civil Courts in Tippera (Q.) p. 53

Supersession of claims of senior Muslim clerks for promotion in Faridpur Civil Court: (Q.) p. 177

Muslim(s)

Appointments in the Industries Department: (Q.) p. 185.

Daulatpur Hindu Academy and its—students: (Q.) p. 18.

Promotion of senior—to higher grade in Dinajpur Collectorate (Q.) p. 223

Students of the P. C. College, Bagerhat: (Q.) p. 25

Mymensingh

Compulsory free primary education in —. (Q.) p. 113.

Nomination

From scheduled castes for the post of Special Officer for Debt Settlement Works in Mymensingh. (Q.) p. 437

Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar

Appointments in work-charged establishment in Darjeeling Division (Q.) p. 375.

Binnagari Bil in Rangpur: (Q.) p. 122.

Nandy, the Hon'ble Maharaja Srischandra, of Cossimbazar—*contd.*

Damodar Bridge at Burdwan Sadar Ghat: (Q.) p. 106.

Eden Canal area: (Q.) p. 121.

Re-excavation of khals in Midnapore: (Q.) p. 123.

Scheduled castes appointments in the Damodar and Eden Canal Departments. (Q.) p. 374.

Scheme of small irrigation works in Bongaon subdivision as a panacea for floods. (Q.) p. 96.

Taccavi embankments in Midnapore: (Q.) pp. 329-331.

Waterways Act, 1934. (Q.) p. 90.

Nasker, Mr. Hem Chandra

Calcutta Municipal (Amendment) Bill, 1939. pp. 83, 349.

Nawab Bahadur's Free Institution, Murshidabad: (Q.) p. 109.

Nazimuddin, the Hon'ble Khwaja Sir, K.C.I.E.

Abduction and criminal assaults on women in Bengal (Q.) p. 327.

Charge of the office of President of the Sutgram Union Board, Dinajpur: (Q.) pp. 371-372.

Conduct of police officers during Cossipore-Chitpur riot in March, 1939 (Q.) p. 235.

Conduct of police officers in connection with Cossipore-Chitpore riot. (Q.) p. 31

Conduct of police officers in the Damodar Canal are for realisation of arrear water taxes (Q.) pp. 99-100.

Conduct of Subdivisional Officer, North Sadar, Comilla, in connection with some criminal cases: (Q.) p. 324.

Cost of liveries of chaukidars of Kurigram subdivision. (Q.) p. 279.

Frequent changes in the postings of Subdivisional Officer, Kurigram, Rangpur: (Q.) p. 33.

Nazimuddin, the Hon'ble Khwaja Sir, K. C. I. E.—*contd.*

Murder cases at Krishnagar, Nadia: (Q.) p. 107.

Provincial Government's opinion on amendments to Government of India Act, 1935: (Q.) p. 180.

Recruitment in services from backward Hindu castes: (Q.) p. 2.

Necessary qualifications

For post of Assistant Analyst in Bengal Public Health Laboratory: (Q.) p. 52.

Number

Of holdings or jotes sold by auction by Courts in Comilla from 1930 to 1938: (Q.) p. 117.

Of recognised high English schools and scholarships reserved for certain districts, etc.: (Q.) p. 27.

Nurses

Discharged—of the small-pox ward of the Campbell Medical Hospital. (Q.) p. 124.

Oath

Mr. J. B. Ross: p. 1.

Observance of "water-hyacinth day": p. 3.

Order of Business: p. 446.

Overseas scholarship: (Q.) p. 440.

Pay of teachers

Distribution of money through district boards for supplementing the—in primary schools and maktabs for boys: (Q.) p. 292.

Pension bills

Dealt with by Treasury Officer, Chittagong: (Q.) p. 277.

Persons

Belonging to different provinces employed in Government service and posted in the Medical Department: (Q.) p. 381.

Point of Order

Regarding provision for separate electorate or an exclusive electorate in the Calcutta Municipal (Amendment) Bill, 1939: pp. 236-243.

Point of Privilege: p. 448.

Police officers

Conduct of—in the Damodar Canal area for realisation of arrear water taxes: (Q.) p. 98.

Conduct of—during Cossipore-Chitpore riot in March, 1939: (Q.) pp. 234-235.

Pramanik, Mr. Tarinicharan

Appointment of clerks in the office of the District Sub-Registrar, Dacca: (Q.) p. 48.

Grant of stipends to students of scheduled castes in high and middle English schools: (Q.) p. 40.

Nomination from scheduled castes for the post of Special Officer for Debt Settlement works in Mymensingh: (Q.) p. 437.

Formation of Dacca District School Board: (Q.) p. 51.

Supply of copies of Urdu Kabins in Bengali by Muhammadan Marriage Registrar of Dacca: (Q.) p. 120.

Suspension, dismissal and reinstatement of Muhammadan Marriage Registrars: (Q.) p. 49.

Presentation

Of the Report of the Committee of Privileges: (Q.) p. 406.

Preservation of water-hyacinth: (Q.) p. 3.

Privilege, Point of

Raised by Mr. Jogesh Chandra Gupta regarding detention of a member in a court of law: p. 253.

Privileges

Presentation of the Report of the Committee of—: p. 406.

Promotion

Of senior Muslims to higher grade posts in Dinajpur Collectorate: (Q.) p. 223.

Provincial Governments' opinion

On amendments to Government of India Act, 1935. (Q.) p. 180.

Raikut, the Hon'ble Mr. Prasanna Deb

Excise shops settled with different communities in Dacca district: (Q.) p. 96.

Location of the office of Conservator of Forests at Darjeeling (Q.) p. 229.

Rajshahi

Basanta Kumar Agricultural Institute. —: (Q.) p. 28.

Rangpur Municipality

Certain nominated Commissioners of the—: (Q.) p. 168.

Rangpur Normal School

And its Muhammadan Hostel. (Q.) p. 441.

Ray Chowdhury, Mr. Birendra Kishore

Abduction and criminal assaults on women in Bengal. (Q.) p. 326.

Debt Settlement Boards, Dacca Division: (Q.) p. 21.

Measures for reviving cottage industries: (Q.) p. 172.

Recruitment

In services from backward Hindu castes: (Q.) p. 1.

Reduction

In the number of Civil Courts in Tippera: (Q.) p. 53.

Re-employment

Of retired men and extensions of services: (Q.) p. 225.

Relief

To the flood-affected people of Faridpur: (Q.) p. 10.

Flood—in Kurigram subdivision: (Q.) p. 114.

Report(s)

Of the Committee regarding Conduct of Business of the Assembly: p. 56.

Of Mr Stuart, I.C.S. (Special Officer), on grievances of *khas mahal* areas: (Q.) p. 5.

Of the Auditor-General of India relating to the accounts of the province: p. 55.

Re-excavation

Of *khals* in Midnapore: (Q.) p. 123.

Retired men

Re-employment of—and extensions of services (Q.) p. 225.

Riot

Conduct of police officers during Cossipore-Chitpore—in March, 1939. (Q.) p. 234.

Riparian areas

Distress in—in Bengal: (Q.) p. 280.

Roy, the Hon'ble Sir Bijoy Prasad Singh

The Calcutta Municipal (Amendment) Bill, 1939: pp. 430-432.

Complaint in connection with Deb Barman Wards Estate in Dinajpur: (Q.) p. 232.

Distress in riparian areas in Bengal: (Q.) p. 281.

Roy, the Hon'ble Sir Bijoy Prasad Singh —*contd.*

Distress for want of food and water in the Sadar subdivision of Bankura: (Q.) pp. 395-396.

Enhanced rent in Jalamutha and Majnamutha estates of Midnapore: (Q.) p. 6.

Flood relief in Kurigram subdivision: (Q.) p. 115.

Grievances of tenants of Sagaur Island: (Q.) p. 34.

Head Assistants and Judicial Head Clerks in district offices in Bengal. (Q.) p. 228.

Hardship in certain union boards in Gaibandha subdivision, Rangpur, for want of agricultural loans: (Q.) p 279.

Improvement of agricultural lands in Western Duars *khas mahals*. (Q.) p. 29.

Promotion of senior Muslims to higher grade posts in Dinajpur Collectorate (Q.) p. 223.

Relief to the flood-affected people of Faridpur: (Q.) p. 11.

Report of Mr. Stuart, I.C.S. (Special Officer), on grievances of *khas mahal* areas: (Q.) p. 5.

Western Duars *khas mahals*: (Q.) p. 17.

Roy, Mr. Dhananjoy

Co-operative organisation of fishermen at Goalundo Ghat: (Q.) p. 34.

Meetings of the Scheduled Castes Education Committee: (Q.) p. 119.

Roy, Mr. Kamal Krishna

Distress for want of food and water in the Sadar subdivision of Bankura: (Q.) p. 395.

Roy, Mr. Manmatha Nath

Expenditure by the Bogra District Board for exhibitions and purchase of stud bulls: (Q.) p. 173.

Roy, Mr. Patiram

Waterways Act, 1934: (Q.) p. 90.

Rural Primary Education Tax

Imposition of—in Tippera: (Q.) p. 4

Safiruddin Ahmed, Haji

Binnagari Bil in Rangpur: (Q.) p 122.

Sagaur Islands

Grievances of tenants of—: (Q.) p 34.

Sanaullah, Dr.

Travelling, daily and conveyance allowances drawn by members of the Bengal Legislative Assembly: (Q. p. 399.

Sanyal, Dr. Nalinaksha

The Bengal Money-lenders p. 477.

Calcutta Municipal (Amendment) Bill 1939 pp. 61, 65, 67-70, 156-159, 213 217, 240-241, 247-250, 295, 297, 298 299, 308, 309-314, 337-341, 348-349 361, 367.

Persons belonging to different province employed in Government service and posted in Bengal in the Medical Department: (Q.) p. 381.

Point of Order: pp. 240-241.

Point of Order regarding closure motion. (*Sec.* 48 of Rules and Standing Orders). p. 160.

Provincial Governments' opinion on amendments to Government of India Act, 1935: (Q.) p. 180.

Sanyal, Mr. Sasanka Sekhar

Conduct of police officers in connection with Cossipore-Chitpore riot: (Q.) p. 31.

Sarkar, Babu Mudhusudan

Scheduled castes *gurus* in Pabna Guru Training School: (Q.) p. 444.

Sarker, the Hon'ble Mr. Nalini Ranjan

The Calcutta Municipal (Amendment) Bill, 1939: pp. 424-429.

Re-employment of retired men and extensions of services: (Q.) p 225.

Pension bills dealt with by Treasury Officer, Chittagong: (Q.) p. 278.

Reports of the Auditor-General of India relating to the province. p. 55

Scheduled Castes

Appointments in the Damodar and Eden Canal Departments (Q.) p 373.

Boys in the primary and middle English schools in the Burdwan district (Q.) p 434

Education Committee Meetings of the— (Q.) p. 119.

Grant of stipends to the students of the—in high English and middle English schools (Q.) p 40

Gurus in Pabna Guru Training School (Q.) p 444

Nomination from for the post of Special Officer for Debt Settlement works in Mymensingh (Q.) p 137

Stipends to—students (Q.) p 442

Scheme

Of small irrigation works in Bongaon subdivision as a panacea for floods (Q.) p. 96

Scholarships

Overseas— (Q.) p. 440

State—to Muslim students of Bengal Engineering College, Sibpur. (Q.) p. 100.

Schools

Free Primary Board—in Mymensingh (Q.) p. 433.

Scheduled castes boys in the primary and middle English—in the Burdwan district: (Q.) p 434

Secondary and collegiate education

Increased cost for— (Q.) p. 50.

Select Committee Meetings

Allowances drawn by members of Bengal Legislative Assembly for attending—: (Q.) p. 392.

Sirajganj

Debt Settlement Board in—subdivision, Pabna (Q.) p. 287.

Serajul Islam, Mr.

Scheme of small irrigation works in Bongaon subdivision as a panacea for floods (Q.) p. 96.

Serampore

Staff of the Weaving Institute: (Q.) p 233.

Shahabuddin, Mr. Khwaja, C.B.E.

The Calcutta Municipal (Amendment) Bill, 1939 pp. 57, 129, 135-136, 149.

Shamsuddin Ahmed, Mr.

Calcutta Municipal (Amendment) Bill, 1939 pp 449, 474.

Shamsuddin Ahmed Khundkar, Mr.

Appointments in the Bengal Veterinary College (Q.) pp 386-387

Short-notice Question

Regarding proposed amendment to the Government of India Act p 126

Singha, Babu Kshetra Nath

The Calcutta Municipal (Amendment) Bill, 1939 pp 139-142.

Stipends to scheduled caste students (Q.) p. 442.

Sinking of tube-wells

In flood-affected areas in Kurigram; (Q.) p. 377.

Sitgram Union Board

Charge of the office of President of the—, Dinajpur: (Q.) p. 371.

Speaker, Mr. (the Hon'ble Khan Bahadur M. Azizul Haque, C.I.E.) Rulings and observations on

Adjournment motion regarding cases of death due to starvation. p. 295.

Bengal Money-lenders Bill, 1939: pp. 334, 476-477, 477-478

Calcutta Municipal (Amendment) Bill, 1939: pp. 129, 132, 149, 166, 302, 305, 308.

Constitution of the Public Accounts Committee: p. 55.

Point of order raised by Dr. Nalinaksha Sanyal regarding closure motion pp 160-162.

Point of order regarding provision for separate electorate or an exclusive electorate in the Calcutta Municipal (Amendment) Bill, 1939. pp 241-243

Special Appellate Officer

Comilla Debt Settlement Board (Q.) p. 94.

Staff

Of the Serampore Weaving Institute (Q.) p. 233.

Starvation

Death of a girl due to—in Bakarganj: (Q.) p. 289.

State scholarships

To Muslim students of Bengal Engineering College, Sibpur: (Q.) p. 100.

Stipends

To scheduled castes students: (Q.) p. 442.

Stud bulls

Expenditure by the Bogra District Board for exhibitions and purchase of—: (Q.) p. 173.

Students

Grants of stipends to—of scheduled castes in high and middle English schools: (Q.) p. 40.

Sub-Assistant Surgeon

Conduct of the—, Sadar Hospital, Jessore. (Q.) p. 108.

Subdivisional Officer

Conduct of—, North Sadar, Comilla, in connection with some criminal cases: (Q.) p. 323.

Sub-Registry Office

At Burichang police-station, Tippera: (Q.) p. 49.

Suhrawardy, the Hon'ble Mr. H. S.

The Calcutta Municipal (Amendment) Bill, 1939 pp 259-261, 263-264, 269, 270-271, 276.

Conciliation Board for the Indian Iron and Steel workers of Asansol (Q.) p. 287

Supersession

Of claims of senior Muslim clerks for promotion in Faridpur Civil Court: (Q.) p. 176

Supply

Of copies of Urdu Kabins in Bengali by Muhammadan Marriage Registrar of Dacca (Q.) p. 120.

Sur, Mr. Harendra Kumar

Recruitment in services from backward Hindu castes: (Q.) p. 1.

Suspension

Dismissal and reinstatement of Muhammadan Marriage Registrars: (Q.) p. 49.

Taccavi embankments in Midnapore: (Q.) p. 328.

Tamizuddin Khan, the Hon'ble Mr.

Appointments in the Bengal Veterinary College: (Q.) p. 387-388.

Conduct of the Sub-Assistant Surgeon, Sadar Hospital, Jessore (Q.) p. 109.

Death of detenu Bimal Kumar Adhikary: (Q.) p. 104.

Discharged nurses of the small-pox ward of the Campbell Medical Hospital (Q.) p. 124.

Food contracts for the Mitford Hospital, Dacca (Q.) p. 328.

Necessary qualifications for post of Assistant Analyst in Bengal Public Health Laboratory (Q.) p. 52.

Observance of "Water-hyacinth Day" (Q.) p. 3.

Persons belonging to different provinces employed in Government Service and posted in Bengal in the Medical Department (Q.) pp. 381-384.

Posts of Honorary Physicians and Surgeons in Calcutta Medical College (Q.) p. 22.

Preservation of water-hyacinth (Q.) p. 3.

Sinking of tube-wells in flood-affected areas in Kurigram (Q.) pp. 378-380.

Tenants

Grievances of—of Sagaur Islands (Q.) p. 34.

Textile Supervisor

Vacancy in the post of—: (Q.) p. 179.

Training

Of chaukidars and dafadars in repairing tube-wells: (Q.) p. 276.

Travelling

Daily and Conveyance allowances drawn by members of the Bengal Legislative Assembly: (Q.) p. 399.

Treasury Offices

Pension bills dealt with by—, Chittagong: (Q.) p. 275.

Tube-wells

Sinking of—in flood-affected areas in Kurigram (Q.) p. 377.

Training of chaukidars and dafadars in repairing— (Q.) p. 276.

Vacancy

In the post of Textile Supervisor. (Q.) p. 179.

Veterinary College

Appointments in the Bengal— p. 386.

Walker, Mr. W. A. M.

The Calcutta Municipal (Amendment) Bill 1939 pp. 412-413.

Water-hyacinth

Preservation of— (Q.) p. 3.
Observance of Day p. 3.

Water taxes

Conduct of police officers in the Damodar Canal area for realisation of arrear (Q.) p. 98.

Waterways Act, 1934: (Q.) p. 90.

Weaving Institution

Staff of the Serampore (Q.) p. 233.

Western Duars

Improvement of agricultural lands in *khas mahals* (Q.) p. 29.

Khas mahals (Q.) p. 16.

Women

Abduction and criminal assaults on—in Bengal. (Q.) p. 326.

Working

Of the Bengal Sanskrit Association: (Q.) p. 26.

B. G. Press—1939-40—3629A—800